

Edmond J. Bearor
E-Mail: ebearor@rudmanwinchell.com
Direct Dial: (207)992-2626

March 24, 2014

Town of Lamoine
Board of Appeals
606 Douglas Highway
Lamoine, ME 04605

Re: Doug Gott & Sons, Inc. – Application for Variance or Appeal to the Board of Appeals

Dear Sir/Madam:

Enclosed is our Application for Variance or Appeal to the Board of Appeals, together with our firm's check payable to the Town of Lamoine in the amount of \$50.00 for the application fee.

Doug Gott & Sons, Inc. is challenging the Planning Board denial of its Application for Site Plan Review. A copy of the Application and the Board's Decision are attached.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Bearor", with a long, sweeping flourish extending upwards and to the right.

Edmond J. Bearor
EJB/leb
Enclosures

cc: Tim Gott, President - Doug Gott & Sons, Inc. (w/encl.)
Stephen Salisbury, PLS (w/encl.)

Town Of Lamoine
Application for Variance or
Appeal to the Board of Appeals

Name of Appellant: Doug Gott & Sons, Inc.

Mailing Address: 110 Bass Harbor Road

City or Town: Southwest Harbor, Maine 04679

Telephone (Home) _____ (Work): (207)244-7461

Name(s) of Property Owner: Doug Gott & Sons, Inc.

The undersigned requests that the Board of Appeals consider one of the following:

 X 1. **An Administrative Appeal.** Relief from the decision, or lack of decision, of the Code Enforcement Officer or Planning Board in regard to an application for a permit. The undersigned believes that (check one):

 X an error was made in the denial of the permit

 X the denial of the permit was based on a misinterpretation of the ordinance

_____ there has been a failure to approve or deny the permit within a reasonable period of time

_____ other _____

Please explain in more detail the fact surrounding this appeal (please attach a separate piece of paper). You should be as specific as possible so that the Board of Appeals can give full consideration to your case.

_____ 2. **A Variance.**

a. Nature of Variance: Describe generally the nature of the variance.

_____.

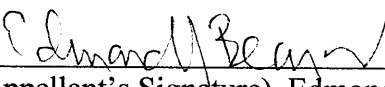
In addition, a sketch plan of the property must accompany this application showing dimensions and shape of the lot, the size and locations of existing buildings, the locations and dimensions of proposed buildings, or alterations, and any natural or topographic peculiarities of the lot in question.

b. Justification of Variance: In order for a variance to be granted, the appellant must demonstrate to the Board of Appeals that the strict application of the terms of the zoning ordinance would cause undue hardship. There are four criteria which must be met before the BOA can find that a hardship exists. Please explain how your situation meets each of these criteria listed below:

1. The land in question cannot yield a reasonable return unless the variance is granted.
2. The need for a variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood.
3. The granting of a variance will not alter the essential character of the locality.
4. The hardship is not the result of action taken by the appellant or a prior owner.

I certify that the information contained in this application and its supplement is true and correct.

Date: March 24, 2014


(Appellant's Signature) Edmond J. Bearor, Esq.
Attorney for Doug Gott & Sons, Inc.

Note to Appellant: This form should be returned to the Chairman of the Board of Appeals. You will be notified of the date, time and location of the hearing on your appeal.

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Town of Lamoine Application for Site Plan Review

Owners of Record	<i>Timothy H. Gott et al Doug Gott & Sons, Inc.</i>	Address	<i>Southwest Harbor</i>
Applicant	<i>Doug Gott & Sons, Inc.</i>	Address	<i>Southwest Harbor</i>
Project Name	<i>Garage building</i>	Map/Lot	<i>Map 3/Lot 6 & 8</i>
Surveyor/Architect/ Engineer's Name	<i>Herrick & Salsbury, Inc.</i>	Reg. Number	<i>PLS 2207</i>

In accordance with the Site Plan Review Ordinance, please submit the following information as part of this application.

1. A fully executed and signed original and seven copies of the application for site plan review.
2. The site plan (drawings) shall consist of one or more reproducible, stable base transparent originals at a scale of not less than 1" = 50' to be filed at the town office. Space shall be provided on the development plan for the signatures of the board and date.
3. A copy of the deed to the property, option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant and status of property tax payment.

-See Deeds: (Map 3 Lots 6 & 8)

Ad hoc section. This section is not part of the official application made available to applicants, but reflects the information requirements in Section I

3A Name and address of owner of record

Doug Gott & Sons, Inc., 110 Bass Harbor Road, Southwest Harbor, Maine 04679

3B The name of the proposed development : Garage building

3C Names and addresses of all owners of property within 500 feet : See page 23

3D Assessor's map and lot number : Tax Map 3, Lots 6 & 8; See page 24

3E Copy of deed to the property, option to purchase or other documentation : See page 20

3F Name and registration of land surveyor : Stephen R. Salsbury, PLS2207

4. Existing Conditions
 - a. Zoning classification(s) (including shoreland) of the property and the location of zoning district boundaries if the property is located in two or more zoning districts or abuts a different district;

Zone: Rural & Agricultural

- b. The bearings and distances of all property lines of the property to be developed and the source of this information;

-See Site Plan

-See Deed Description (Source of Information): Deed, Page 20

- c. Location and size of any existing sewer and water systems, culverts and drains, fire hydrants or pond, adjacent to property to be developed and of any that will serve the development from abutting roads or land;

None

- d. Location, names and widths of existing roads and rights-of-way within or adjacent to the proposed development;

***Existing Roads Adjacent to Property: Lamoine Beach Road (66' Right of Way)
50' Right of way over Gott, et. al. property.***

-See Site Plan for Road Locations

- e. The location of open drainage courses, wetlands, stonewalls, graveyards, fences, stands of trees, and other important or unique natural areas and site features, including but not limited to, floodplains, deer wintering areas, significant wildlife habitats, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with a description of such features.

None of the above were found on site except aquifer.

-See Agency Letters (wildlife/plants/historic features): Page 26-39

-See Floodplain Map: Page 25

-For Aquifer Information; Page 39

- f. The location, dimensions and ground floor elevation of all existing buildings on the site.

See site plan. 40x50' existing building. Proposed building 40x80'

- g. Topographical contours and the direction of existing surface water drainage across the site; and

-See Site Plan

- h. If any portion of the property is in the 100-year floodplain, its elevation shall be delineated on the plan or provide a FEMA floodplain map.

Site not in 100-year floodplain.

-See Floodplain Map: Page 25

5. Proposed Development Activity

- a. Descriptions of all proposed uses of the development including specific uses of all structure to be built, converted or expanded.

Development Activity: Proposed garage for maintenance and storage of equipment. Excavation of 70,000 cubic yards. Parking lot 20,000 square feet for parking and storage.

- b. The location and dimensions of all proposed buildings and structures.

40'x80' building

- c. The size, location, direction, and intensity of illumination of all outdoor lighting.

One 100 watt, 5,000 luman wall pack flood light.

- d. All existing and proposed setback dimensions.

Proposed 100' setback line along northerly boundary.

Proposed 200' setback along Lamoine Beach Road.

Proposed 10' buffer moved northerly of building.

-See Site Plan

- e. Proposed landscaping and/or buffering.

Proposed berm and plantings in proposed buffer areas described above.

-See Site Plan

-See section page 40

- f. When subsurface sewage disposal is proposed, an on-site soils investigation report by a Maine Department of Human Services licensed site evaluator. The report shall identify the classification of soils, location of all test pits, and proposed location.

None Proposed

- g. The type of water supply to be used.

None Proposed

- h. The type, size, and location of all waste disposal or incineration devices.

None Proposed

- i. The type, size and location of all machinery or equipment likely to generate appreciable noise at the lot lines.

Air compressor in garage. Equipment being driven in and out of garage.

- j. The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate.

None.

- k. A schedule of construction including anticipated beginning and completion dates.

Anticipated Begin Date: July 2014

End Date: December 2015

- l. A description of how special features identified in subsection 4.e. will be maintained or impacts upon them minimized.

The gravel pit will not impact any special features.

-See Agency Letters (wildlife/plants/historic features): Page 26-39

-See Floodplain Map: Page 25

-For Aquifer Information; Page 39

- m. The existing and proposed method of handling storm water run-offs.

Site will be internally drained.

-See Drainage Statement: Page 42

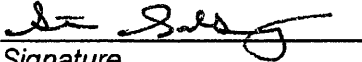
- 6. Additional Information. The planning board may require the following when it finds that the information required in Sections I.3 to I.5 is not sufficient, to determine that the standards in Section J. can be met.
 - a. A high intensity soils report prepared by a soil scientist certified in the State of Maine.
 - b. A storm water management and erosion control plan showing:
 - i) The direction of flow of the run-off through the use of arrows.
 - ii) The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.
 - iii) Engineering calculations used to determine drainage requirements based upon the 25-year 24-hour storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed.
 - c. A hydrogeologic assessment prepared by a ground water hydrologist/geologist for projects involving common on-site water supply or on-site sewage disposal of 2,000 or more gallons per day.

- d. A utility plan showing, in addition to provisions for water supply and waste water disposal, the location and nature of electrical, telephone and any other utility services to be installed on the site.
 - e. A landscaping plan.
 - f. The location, width, typical cross-section, grades and profiles of all proposed roads and sidewalks.
 - g. Cost of the proposed development and evidence of financial capacity to complete it. This evidence should be in the form of a letter from a bank or other source of financing indicating the name of the project, amount of financing proposed, and interest in financing the project.
 - h. An estimate of the number of trips per day associated with the proposed development.
7. The appropriate fee must accompany this application.

This application must be submitted to the Lamoine Planning Board, 606 Douglas Highway, Lamoine, ME 04605 at least 10-days before the Board is to consider it at a regularly scheduled meeting.

Signature Section

By signing this, I maintain that the information provided to the Lamoine Planning Board is true and accurate to the best of my knowledge. I understand this is a application and will be informally discussed at a Lamoine Planning Board meeting and it is a public document.

 AGENT 1/21/2014
Signature Title Date

STEPHEN R. SALSBURY
Printed Name

For Planning Board Use Only

Date Received by Town Office	
Date Mailed to Planning Board	
Date Scheduled for Initial Review	
Date of completeness determination	
Date abutting landowners were notified	
Date scheduled for application hearing	
Fee Amount Due	
Date Fee was paid to town treasurer	
Final Action	
Conditions – list below	

Signature of Planning Board Chair Date



Town of Lamoine Construction Application

This section to be completed by Code Enforcement Officer

Map 3 Lot 8 Zone R/A Shoreland Zone _____ Flood Zone _____

Fee Calculation _____ Date Received _____ Permit Number _____

☒ Building Permit ☐ Shoreland Permit ☐ Floodplain Hazard Permit

The undersigned applies for a construction permit for the uses indicated below. Said permit is to be considered on the basis of the information contained within this application. Any Federal, State or Local statutes, or regulations shall be applicable and their compliance necessary to obtain a permit. The permit will be issued to the owner of record or properly designated agent. Incomplete applications will NOT be processed.

Section I – Owner, Applicant & Contractor Information

Owner		Applicant	Contractor
Name	Doug Gott & Sons, Inc.	same	same
Mailing Address	110 Bass Harbor Road		
City, St. Zip	Southwest Harbor, ME 04679		
Home Phone			
Work Phone	207-244-7641		
Cell Phone			
Email			

Section II – Lot Information

Existing Property Use Vacant Lot Size (acres or square feet) 5 acres

Physical Address of property (road name & number) Lamoine Beach Road

Please Answer all questions below

	Yes*	No
Are Current Uses non-conforming?		x
Are State or Federal Permits Required?		x
Is State or Federal Funding provided?		x
Is lot created by division from another lot in the past 5 years?		x

*If yes, attach explanation to application

Facilities Info (check all that apply)

Well	n/a
Cold Spring Water Co Customer?	n/a
Septic System Permit #	n/a
Subdivision name & Lot #	
n/a	

Section III – Proposed Construction Activity

(Check All That Apply, fill in dimensional information) *Provide RV, Mobile Home Information requested on Page 3

Residential Uses	#Stories	Sq. Ft.	Total Sq. Ft.	SSWD #	Int Plumb #	Accessory Uses	Sq Ft
<input type="checkbox"/> New Dwelling Unit						Garage/Shed/Barn	
<input type="checkbox"/> Manufactured Home						Deck	
<input type="checkbox"/> Mobile Home*						Shore Access	
<input type="checkbox"/> Change of Use							
<input type="checkbox"/> Expansion							
<input type="checkbox"/> Recreational Vehicle*							

Other Activity: (Please describe in space below)

Commercial garage 40' by 80' in dimension

Section IV – Demographic & Assessment Information

For new dwelling units only –

- Estimated Construction Costs \$ _____
- Number of Bedrooms _____
- # Full Time Residents _____ # Part Time Residents _____ # Children under 18 _____
- List any in-home occupations proposed _____

Section V – Important DatesStarting Date: June 2014 Estimated Completion Date December 2015**Section VI – Shoreland Zoning (if applicable)**

Affected Waterbody _____ Distance from normal high water _____ feet.

Is clearing of trees and other vegetation required? ☐ Yes ☐ No (if yes, attach explanation)Is earth moving activity greater than 10CY? ☐ Yes ☐ No (if yes, DEP Permit required)Is setback less than 125 feet from high water mark? ☐ Yes ☐ No

If yes, please attach certification from a licensed surveyor that the 100-foot setback and elevation have been staked.

Section VII – Flood Zone InformationIs the proposed development located within a Flood Hazard Area? ☐ Yes ☒ No

If Yes, complete the information below

- | | |
|---|-------------------------------|
| 1. Filling _____ cubic yards of fill | 9. Residential Structure |
| 2. Excavation _____ cubic yards removed | 10. Non-residential Structure |
| 3. Paving _____ square yards paved | 11. Water Dependent Use |
| 4. Drilling _____ | A. Dock Dimensions _____ |
| 5. Mining _____ acres mined | B. Pier Dimensions _____ |
| 6. Dredging _____ cubic yards dredged | C. Boat Ramp Dimensions _____ |
| 7. Levee _____ cubic yards in levee | 12. Floodproofing _____ |
| 8. Dam _____ acres of water surface | 13. Other (explain) _____ |
- Flood Zone (check one) ☐ A&AE ☐ Floodway ☐ V&VE ☐ ZO ☐ AH
- Elevation of lowest floor (NGVD) for all structures: _____
- Grade elevation at lowest grade adjacent to the existing or proposed wall: _____ (NGVD)
- Distance in feet of confluence or Corporate limit _____ feet
- If in Flood Zone AE or A1-A30, Nearest Cross Section References
- Above Site _____ Below Site _____
- Elevation of Base Flood at Nearest Cross Section
- Above Site _____ Below Site _____
- If "A" Zone: Base Flood Elevation _____
- Basis of "A" Zone BFE determination _____
- If in "VE" Nearest Transect Above site _____ Below Site _____
- Provide a statement describing how each applicable development standard (set forth in ARTICLE VI of the Flood Hazard Development Ordinance) will be met. If a water course is to be altered or relocated, describe in detail and provide copies of all applicable state and federal permits. Include certification from a licensed surveyor that the proposed project is located outside of the 100-year floodplain.
- Name of Surveyor/Architect/Engineer _____ License # _____

Section VIII – Additional Information or Attachments Required

- If property is not currently assessed to listed owner, please attach record of ownership
- If applicant is signing, please attached signed permission from owner to make application
- Attach any state or federal permits required
- If a dwelling unit, attach 3 copies of HHE200 form and applicable internal plumbing permit applications
- If driveway opens on public road, attach Lamoine Road Opening Permit Application, or MDOT approved road opening permit
- For Shoreland Zone applications with less than 125' setback, attach certification from registered surveyor that markers are placed to establish the 100-foot setback & elevation from the normal high water mark.
- Please supply all information requested on pages 5 and 6 or attach plans with required information.

Section IX – Signature

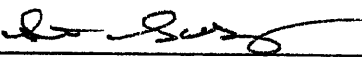
Signature by the applicant indicates an awareness of the requirements of the Lamoine Building and Land Use Codes, the Lamoine Shoreland Zoning Ordinance, and the Floodplain Hazard Development Ordinance for the Town of Lamoine. Submission of this application constitutes an application for a Certificate of Occupancy. **A Certificate of Occupancy must be obtained before the structure hereby permitted is used!** **BUILDING PROJECTS MUST MAKE SUBSTANTIAL START WITHIN ONE YEAR OF APPROVAL AND SUBSTANTIAL COMPLETION WITHIN TWO YEARS. SHORELAND PERMITS EXPIRE IN ONE YEAR.**

For those lands which fall within the Lamoine Shoreland Zoning area, a signature on this application indicates that the applicant has read the current Shoreland Zoning Ordinance and agrees to comply with all its requirements if a permit is issued.

For new structures or substantial improvements within the Flood Hazard Area, an approved permit will allow construction up to the establishment of the lowest floor. At that point, the applicant must provide an elevation certificate establishing actual floor elevation. Upon satisfactory documentation to the community (CEO), the construction may continue. The applicant understands and agrees that:

- ⇒ the permit applied for, if granted, is issued on the representations made herein;
- ⇒ that any permit issued may be revoked because of any breach of representation;
- ⇒ that once a permit is revoked all work shall cease until the permit is reissued or a new permit is issued;
- ⇒ any permit issued on this application will not grant any right or privilege to erect any structure or use any premises described for any purposes or in any manner prohibited by the ordinances, codes, or regulations of the Town of Lamoine
- ⇒ The applicant hereby gives consent to the Code Enforcement Officer or designated Town Official to enter and inspect activity covered under the provisions of the Floodplain Management Ordinance
- ⇒ If issued, the permit will be posted in a conspicuous place on the premises in plain view and;
- ⇒ If issued, the permit will expire if no work is commenced within 90 days of issuance (flood hazard only)

I hereby certify that all the statements in, and the attachments to this application are a true description of the existing property and the proposed development project.



Signature

1/24/2014

Date

Application Fees:

	Residential Building	Commercial Building	Shoreland	
Non-roofed	.05/sq. ft.	.10/sq. ft.	Non commercial	.10/sq ft
Roofed	.10/sq. ft./floor	.20/sq. ft/floor	Commercial	.20/sq ft
<100 sq. ft.	No charge	No charge	<100 sq ft	\$10.00
Home Occupations: \$10.00				

*Included Commercial, Industrial, Multi-Family. See Site Plan Review Ordinance, Subdivision sections for additional fees.

For Use by the Code Enforcement Officer Only

Application Number _____ Date Received _____

Fees Collected: Building Permit \$ _____
 SZO Permit \$ _____
 Flood Hazard \$ _____
 Total \$ _____ Receipt # _____

Action Taken: _____
 Signature _____ Date _____

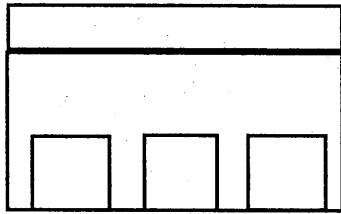
- ☐ Approved Building Permit SSWD Permit # _____
☐ Approved Shoreland Permit DEP Permit # _____
☐ Approved Flood Hazard Permit Internal Plumbing Permit # _____
☐ Denied Permits (explain below) Other Permits (List) _____
☐ Routed to Planning Board
☐ Routed to Appeals Board

Comments

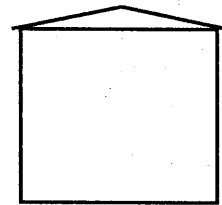
Planning Board Action	Appeals Board Action
Date Received _____	Date Received _____
Public Hearing Date _____	Public Hearing Date _____
Notices Mailed by: _____	Notices Mailed by: _____
Action Date: _____	Action Date: _____
Action Taken <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Action Taken <input type="checkbox"/> Approved <input type="checkbox"/> Denied
Denial Reasons or Conditions 	Denial Reasons or Conditions
_____, Chair/Secretary <i>Signature</i>	_____, Chair/Secretary <i>Signature</i>

Elevations - Please show a picture of the proposed development and its height and shape above ground. You may attach formal building plans and drawings in lieu of these pages if you wish.

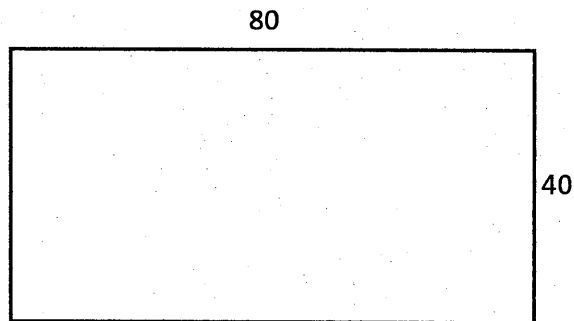
Front or Rear View



Side View



Floor Plan



Scale _____ = _____ feet

Application Review Checklist Site Plan Review

Applicant Name	DOUG GOTT & SONS, INC.		
Date	JANUARY 21, 2014	Fee Paid?	
Type of Project	COMMERCIAL GARAGE		
Map & Lot	3-8		
Reviewed By			

Application Requirement	Yes?	No?	Comments
I-1. A fully executed and signed original and nine copies of the application for site plan review.			Provided
I-2. The site plan (drawings) shall consist of one or more reproducible, stable base transparent originals at a scale of not less than 1" = 50' to be filed at the town office. Space shall be provided on the development plan for the signatures of the board and date.			Plan Sheet #1
I-3a - Name of owner of record and address and applicant's name and address, if different;			Doug Gott & Sons, Inc. Page 1 & Page 7
I-3b - The name of the proposed development, if applicable			N/A
I-3c - Names and addresses of all owners of property within 500 feet of the property line of the site with assessor's (tax) map and lot number of those properties			Page 23
I-3d - The assessor's (tax) map and lot number of the parcel or parcels composing the site			3-8 Page 24

Lamoine Site Plan Review Checklist

Application Requirement	Yes?	No?	Comments
I-3e - A copy of the deed to the property, option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant and status of property tax payment			Page 20
I-3f - The name and registration number of the land surveyor, architect, engineer, and/or similar professional(s), if any, who prepared the plan			Stephen Salsbury & Brett Deyling
I-4a - Zoning classification(s) (including shoreland) of the property and the location of zoning district boundaries if the property is located in two or more zoning districts or abuts a different district			Ag/Rural
I-4b - The bearings and distances of all property lines of the property to be developed and the source of this information			Survey and deed Page 20
I-4c - Location and size of any existing sewer and water systems, culverts and drains, fire hydrants or pond, adjacent to property to be developed and of any that will serve the development from abutting roads or land			None
I-4d - Location, names and widths of existing roads and rights-of-way within or adjacent to the proposed development			Route 184=66' Interior R/W = 50'
I-4e - The location of open drainage courses (streams and springs), wetlands, stone walls, graveyards, fences, stands of trees, and other important or unique natural areas and site features, including but not limited to, floodplains, deer wintering areas, significant wildlife habitats, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with a description of such features			Aquifer map Page 39. See pages 26-38 for agency letters See site plan for clearing limits No graveyards No stone walls No wetlands on site
I-4f - The location, dimensions and ground floor elevation of all existing building on the site			Shown on site plan 40x50 building, elevation 122'
I-4g - Topographical contours and the direction of existing surface water drainage across the site			Shown on site plan

Lamoine Site Plan Review Checklist

Application Requirement	Yes?	No?	Comments
I-4h - If any portion of the property is in the 100-year floodplain, its elevation shall be delineated on the plan or provide a FEMA floodplain map			Page 25
I-5a - Descriptions of all proposed uses of the development including specific uses of all structure to be built, converted or expanded			Proposed garage for maintenance and storage
I-5b - The location and dimensions of all proposed buildings and structures			Shown on site plan
I-5c - The size, location, direction, and intensity of illumination of all outdoor lighting			One new proposed light. 100watts.
I-5d - All existing and proposed setback dimensions			Shown on site plan
I-5e - Proposed landscaping and/or buffering			Shown on site plan
I-5f - When subsurface sewage disposal is proposed, an on-site soils investigation report by a Maine Department of Human Services licensed site evaluator. The report shall identify the classification of soils, location of all test pits, and proposed location			N/A
I-5g - The type of water supply to be used			N/A
I-5h - The type, size, and location of all waste disposal or incineration devices			N/A
I-5i - The type, size and location of all machinery or equipment likely to generate appreciable noise at the lot lines			Air compressor. Equipment entering garage.
I-5j - The amount and type of any raw, finished or waste materials to be stored outside of roofed buildings, including their physical and chemical properties, if appropriate			N/A
I-5k - A schedule of construction including anticipated beginning and completion dates			July 2014-December 2015
I-5l - A description of how special features identified in subsection 4.e. will be maintained or impacts upon them minimized			See Page 41 for ground water protection narrative.
I-5m - The existing and proposed method of handling storm water run-offs			See Page 42

Lamoine Site Plan Review Checklist

Potential Additional Information Requested

Application Requirement	Yes?	No?	Comments
A high intensity soils report prepared by a soil scientist certified in the State of Maine			N/A
A storm water management and erosion control plan showing (see ordinance)			See page 42
A hydrogeologic assessment prepared by a ground water hydrologist/geologist for projects involving common on-site water supply or on-site sewage disposal of 2,000 or more gallons per day			N/A
A utility plan showing, in addition to provisions for water supply and waste water disposal, the location and nature of electrical, telephone and any other utility services to be installed on the site			Electric lines shown on site plan
A landscaping plan			Proposed berm shown. See Page 40.
The location, width, typical cross-section, grades and profiles of all proposed roads and sidewalks			N/A
Cost of the proposed development and evidence of financial capacity to complete it. This evidence should be in the form of a letter from a bank or other source of financing indicating the name of the project, amount of financing proposed, and interest in financing the project			No proposed financing. Estimated cost \$200,000
An estimate of the traffic associated with the development per the requirements of Sections J.9 and J.10			No additional traffic anticipated.

Application on initial review is ___ complete ___ incomplete

SECTION 15. COMMERCIAL AND INDUSTRIAL USES

E. Industrial Structures Administration and Application Procedures.

4. Application and Development Plan

- a. The Application with Development Plan (hereinafter called the Plan) is to be submitted by the applicant after the on-site inspection has taken place, and subject to the power of the Board to require additional information as set out in Section 14E3d above.

ON SITE VISIT JANUARY 18, 2014

- b. Application timetable. The Board shall notify the applicant as to whether or not the application is a completed application, and shall note the date and give the applicant a receipt showing the date on which the application is complete. A completed application is one which contains all the elements required by Sections 14E3d and 14E5 of this ordinance and is accompanied by the required application fee. Notice to the applicant that the application is complete shall not bar the Board from requesting further information from the applicant if such further information is required to determine whether the proposal meets the criteria for approval set out in Maine law or this ordinance. Sections 14D5b and 14D5c also apply.

5. Development Plan

The Plan submitted by the applicant shall contain nine (9) each of the application form and any and all prints, etc. The proposal must include: 1) a plat with the appropriate size and scale to allow convenient review of the proposal 2) a written description of proposed plans for (a) to (r) of this subsection as appropriate. The final plan shall be a Mylar film tracing of 24" x 32" maximum. The plan shall contain:

- a. Title and purpose of the building.

Development Activity: Proposed garage for maintenance and storage of equipment. Excavation of 70,000 cubic yards. Parking lot 20,000 square feet for parking and storage.

- b. Scale, date, north point, and geographical location.

SHOWN ON SITE PLAN

- c. Boundaries of the parcel and a plat including information on lot standards (see Section 3D & 4I).

SHOWN ON SITE PLAN. BASED ON SURVEY AND DEED INFORMATION.

- d. Names of owner(s), engineer(s), and surveyor(s).

OWNER : DOUG GOTT & SONS, INC.

ENGINEER : BRETT DEYLING

SURVEYOR : STEPHEN SALSURY

- e. A statement specifying the character of the structures and their location on the parcel, and drawings of elevations and floor plans for each proposed structure, with front and side views.

PROPOSED BUILDING IS 40'X80' STEEL SIDED BUILDING. ELEVATIONS AND FLOOR PLANS PROVIDED.

- f. Names and addresses of owners of abutting properties, including those across public or private roads and rights of way and location of their abutting properties, indicating structures within 200 feet of the common boundary.

ABUTTERS LISTED ON PAGE 23

- g. Location, with dimensions, of natural and man-made features, affecting the industrial building, such as:
 - water bodies - **NONE**
 - streams - **NONE**
 - swamps - **NONE ON PROPERTY**
 - wooded areas - **SHOWN ON SITE PLAN**
 - ditches - **ALONG ROUTE 184**
 - highways - **ROUTE 184**
 - buildings - **EXISTING AND PROPOSED SHOWN ON SITE PLAN**
 - community recreational resources - **NONE**
 - historic sites - **NONE ON SITE**
 - landscaping - **PROPOSED ALONG BERM SHOWN ON SITE PLAN**
 - wooden screens - **EXISTING WOODED AREAS TO REMAIN SHOWN**
 - vegetated buffers - **EXISTING WOODED AREAS REMAINING, BERM**
 - amount of deforestation required - **MINIMAL**
 - excavation - **70,000 cubic yards**
- h. Location, with dimensions, of utilities, electrical lines, existing right of ways, etc.
SHOWN ON SITE PLAN
- i. Plans for water supply adequate to meet the needs of the proposed industrial building and the requirements of this ordinance.
NO PROPOSED WATER SUPPLY
- j. Plans to meet all groundwater standards as set forth in Section 12, J.
SEE PAGE 41
- k. Plans for needed waste water and sewage disposal along with all backup information to support the validity of the waste water and sewage disposal concepts. A statement from a certified geologist, registered civil engineer, or licensed soil evaluator is required for this purpose.
NO WASTE WATER OR SEWAGE DISPOSAL.
- l. A topographical map.
CONTOURS SHOWN ON SITE PLAN

- m. Suitable space to record, on the Plan, final approval by the Board, with conditions, if any, and also the date of approval.

APPROVAL BLOCK SHOWN

- n. Certification by a licensed surveyor or equivalent authority.

CERTIFIED BY STEPHEN R. SALSURY, PLS2207

- o. The following conditions, in writing, where appropriate:

(1) Water supply system proposals contained in the Plan shall be approved in writing by the servicing Water Department if existing water service is to be used, the State of Maine Department of Human Services if the applicant proposes to provide a central water supply system, or c) a civil engineer registered in the State of Maine if individual well(s) serving each building site are to be used. The Board may also require the applicant to submit the results of water quality tests as performed by the Department of Human Services.

NO WATER SUPPLY

(2) Sewage disposal systems proposals contained in the Plan shall be properly endorsed and approved in writing by the State of Maine Department of Human Services if a central sewage collection system is to be used or if individual septic tank systems are to be installed by the applicant, or the Maine Department of Environmental Protection if the Town system to be used is inadequate by State standards and the waste generated is of a significant nature.

NO SEWER

(3) Approval in writing by the State of Maine Department of Environmental Protection if the proposed industrial structure falls in any way within its jurisdiction.

N/A

(4) Approved fire protection plan (see Section 14E6).

LETTER TO FIRE CHIEF PAGE 51

- p. Sufficient evidence that the proposed industrial structure does not violate the Town's Floodplain Management Ordinance.

PROJECT NOT IN FLOOD ZONE. PAGE 25

- q. The required fee.

PAID

- r. Other information required by the Board.

TO BE DETERMINED

LETTER OF AUTHORIZED AGENT

August 28, 2012

Town of Lamoine
606 Douglas Highway
Lamoine, ME 04605

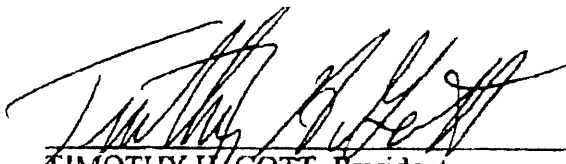
Town of Hancock
P.O. Box 68
Hancock, ME 04640

Maine Department of Environmental Protection
106 Hogan Road
Bangor, ME 04401

Re : Gravel Pits

To Whom It May Concern:

Please be advised that I hereby authorize Stephen R. Salsbury of Herrick & Salsbury, Inc., 130 Oak Street, Ellsworth, Maine 04605 to act as our agent on all permitting and environmental issues regarding the properties we own and or operate in which are located in the towns of Hancock and Lamoine, Maine.



TIMOTHY H. GOTT, President
Doug Gott & Sons, Inc.

CORRECTIVE
QUITCLAIM DEED WITH COVENANT

This deed corrects a prior deed, dated December 31, 2008, recorded in Book 5114, Page 349.
KNOW ALL MEN BY THESE PRESENTS, that I, **RAY T. STEPHENS**, with a mailing

address of 61 Bear Point Way, Lamoine, Maine 04605, for consideration paid grants to **DOUG
GOTT & SONS, INC.**, whose mailing address is 110 Bass Harbor Road, Southwest Harbor,
Hancock County, ME 04679, with Quitclaim covenant certain lot or parcel of land, together with
the buildings thereon, situated in the Town of Lamoine, County of Hancock, State of Maine,
described in Exhibit A incorporated hereto and made a part hereof.

This description is corrected from the earlier referenced deed.

Together with all rights, easements, privileges and appurtenances belonging to the granted
estate.

WITNESS my hand and seals this 11 ^{September} day of ~~August~~, 2009.

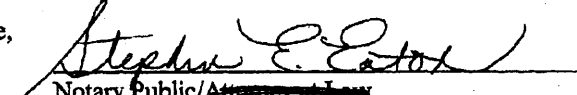

Ray T. Stephens

STATE OF MAINE
COUNTY OF HANCOCK

^{September}
~~August~~ 11th, 2009

Personally appeared the above named Ray T. Stephens and acknowledged the foregoing
instrument to be his free act and deed.

Before me,


Notary Public/Attorney at Law

SEAL

STEPHEN E. EATON
Notary: Print or Type Name
My Commission Expires:

STEPHEN E. EATON
NOTARY PUBLIC, STATE OF MAINE
MY COMMISSION EXPIRES MARCH 24, 2011

S:\GOTT, TIM\GOTT, DOUG & SONS, INC\STEPHENS RAY PURCHASE\QuitClaimW Cove Don & Ray Stephens to Doug Gott &
Sons.doc

EXHIBIT A
Route 184, Lamoine
Hancock County, Maine

A certain lot or parcel of land situated on the easterly side of Route 184 in the Town of Lamoine, County of Hancock, State of Maine, being more particularly described as follows:

BEGINNING at a $\frac{3}{4}$ " rebar found set in or near the easterly sideline of Route 184, also known as Douglas Highway, being at a southwesterly corner of land described in a deed to Robert Aaron Handy and Stacy Marie Handy dated October 16, 2006 and recorded in Book 4619, Page 111 in the Hancock County Registry of Deeds;

THENCE, S $85^{\circ}00'00''$ E along the southerly line of said land of Robert Aaron Handy and Stacy Marie Handy, along the southerly line of remaining land of James Moore, Jr. and Tammy Moore described in a deed dated May 30, 2000 and recorded in Book 2926, Page 405 in said Registry of Deeds and along the southerly line of the First Parcel of land described in a deed to Michael E. Damon, dated November 3, 1986, and recorded in Book 1608, Page 108 in said Registry of Deeds, a distance of one thousand one hundred and thirty-one and sixty-two hundredths (1,131.62') feet to a point in the westerly line of land described in a deed to Reginald L. McDevitt and Marion J. McDevitt, dated August 27, 1973 and recorded in Book 1175, Page 81 in said Registry of Deeds;

THENCE, S $26^{\circ}43'05''$ W along the westerly line of said land of Reginald L. McDevitt and Marion J. McDevitt a distance of three hundred nine and eighty-one hundredths (309.81') feet to the northerly line of land described in a deed from Billings and Hamblen Company, Inc. to Douglas A. Gott, dated June 21, 1977 and recorded in Book 1290, Page 436 in said Registry of Deeds;

THENCE, N $85^{\circ}00'00''$ W along the northerly line of said land of Douglas A. Gott, a distance of seven hundred fifty one (751 \pm) feet more or less to a point in the easterly sideline of Route 184,

THENCE, in a northwesterly direction along the easterly sideline of Route 184 a distance of three hundred ninety-four (394 \pm) feet more or less to the **POINT OF BEGINNING**.

ALSO CONVEYING any right, title and interest that the herein grantor may have in the right of way of Route 184, also known as the Douglas Highway.

The herein described lot or parcel of land, containing 6.13 acres more or less being all that remaining portion of land described in a deed from Emma R. Stephens to John R. Stephens

and Teresa W. Stephens, dated August 18, 1986 and recorded in Book 1597, Page 471 in the Hancock County Registry of Deeds that lies on the easterly side of Route 184, and all that

S:\GOTT, TIM\GOTT, DOUG & SONS, INC\STEPHENS RAY PURCHASE\Exhibit A - 6.13 acres.doc

remaining portion of land described in a deed from John R. Stephens and Teresa W. Stephens to Ray T. Stephens, dated September 27, 1995 and recorded in Book 2447, Page 218 in said Registry of Deeds that lies on the easterly side of Route 184.

#4³ Ret Ross & King

DEED OF DISTRIBUTION

Sylvia H. Gott, whose mailing address is 110 Bass Harbor Road, Southwest Harbor ME 04679, duly appointed and acting Personal Representative of the Estate of Douglas A. Gott, deceased, whose will was duly admitted to probate in the Probate Court for the County of Hancock, State of Maine, by the powers conferred by law, and every other power, (in distribution of the estate), grants to Timothy H. Gott, Thomas E. Gott and Peter D. Gott, whose mailing address is c/o Doug Gott & Sons, Inc., 110 Bass Harbor, Road, Southwest Harbor ME 04679, as equal tenants in common, being the persons entitled to distribution, all of the decedent's right, title and interest in certain lots or parcels of land, together with any buildings or structures thereon, situated in Lamoine, Hancock County, Maine, and bounded and described as follows:

FIRST: Bounded and described in deed from Gordon F. Fellis, et al to Douglas A. Gott, dated August 26, 1986 and recorded with Hancock County Registry of Deeds in Book 1597, Page 604 as follows:

"five (5) certain lots or parcels of land, situated in Lamoine, Hancock County, Maine, being all and the same premises described as conveyed in the deed dated October 28, 1966, recorded in Book 1026, Page 48 of the Hancock County, Maine, Registry of Deeds from Faith B. Tomm to Gordon F. Fellis and Diane W. Fellis, as follows, to wit:

'LOT NO. 1: One undivided half of a wood lot situated in said Lamoine and bounded on the north by land of Cooledge, Young and Widow Berry; on the east by land of Samuel Gilpatrick; on the south by land of Stillman King; on the west by land of Widow Berry, Cooledge, and Young, containing 30 acres, more or less.

LOT NO. 2: Beginning at the southwest corner of land owned formerly by Hannah Berry now by John M. and Harvey Grant; thence south 5 degrees east 22 rods 8 ½ links; thence east 5 degrees south 109 rods to line of land owned by Martin Bunker, Benjamin King and John Bragdon; thence north 5 degrees west 22 rods 8 ½ links to the southeast corner of land of Grant formerly Berry; thence north 85 degrees west 109 rods to the first mentioned bounds and containing about 15 acres and 35 rods.

LOT NO. 3: Beginning at the southeast corner of a lot of land owned by Nathan Hodgkins and running south 5 degrees east to line of land owned by James G.

c

Bunker; thence following said Bunker's line westerly to line of land of Stephen Young; thence following said Young's line northerly to line of land owned by Abden W. Coolidge; thence following said Coolidge's land to the Partridge Cove Road, so called; thence following said Partridge Cove Road easterly to the first mentioned bound and containing in the whole 30 acres, more or less.

LOT NO. 4: On the north by T. and C. Hodgkins heirs; on the east by H. L. Young; on the south by J. A. Peters; on the west by Charles A. Gross and recorded on Range 30 in the office of the town Clerk of Lamoine, Maine, containing 25 acres, more or less.

The above described four parcels of land are the same premises described as conveyed in deed from Charles A. Gross to Herbert L. Young, dated December 29, 1950, and recorded in the Hancock County, Maine, Registry of Deeds in Book 740, Page 10.

LOT NO. 5: Beginning at the southwest corner bound of land owned now or formerly by Martin Bunker; thence following said Bunker's line south 80 degrees East ninety-four rods to a cedar stake at Samuel Gilpatrick's line; thence south 5 degrees east thirty-eight rods and twelve feet to the northeast corner bound of land now or formerly of Eben W. Bragdon; thence along said Bragdon's line north 85 degrees west ninety-four rods to land now or formerly of Robert Berry; thence north 5 degrees west thirty-eight rods and twelve feet to first mentioned bound, containing twenty acres, more or less.

The above described lot #5 is the same premises described in deed from Morris Emery to Herbert L. Young, dated June 30, 1950, and recorded in the said Registry of Deeds in Book 735, Page 572.

Excepting and reserving from the above described premises a certain lot of land conveyed by Herbert L. Young to George H. Hamblen et al by deed dated April 10, 1952, and recorded in the said Registry of Deeds in Book 747, Page 43, and lot of land conveyed by Herbert L. Young to Kenneth E. Billings et al by deed dated January 2, 1958, and recorded in the said Registry of Deeds in Book 809, Page 297; and an Easement from Herbert L. Young to Bangor Hydro-Electric Company dated June 12, 1956, and recorded in the said Registry of Deeds in Book 786, Page 150.

Excepting and reserving also from the above described premises a strip of land which lies adjacent to the easterly side of the lots sold to Kenneth E. Billings et al and George H. Hamblen et al, being 200 feet in width measured parallel with the easterly line of the above said lots.'

Together with all of the herein Grantors' right, title and interest in land situated in the said Town of Lamoine acquired by virtue of the Final Decree dated August 28, 1978, recorded in Book 1335, Page 601 at the said Registry of Deeds.

EXCEPTING from the foregoing described premises, and not hereby conveying, those portions thereof described as conveyed in the following deeds recorded at the aforesaid Registry of Deeds, to wit:

1. Deed dated August 27, 1973, recorded in Book 1175, Page 81 from the herein Grantors to Reginald L. McDevitt and Marion J. McDevitt;
2. Deed dated June 13, 1981, recorded in Book 1409, Page 630 from the herein Grantors to Stephen J. Fellis and Darlene L. Fellis;
3. Deed dated October 21, 1982, recorded in Book 1448, Page 38 from the herein Grantors to Bryan C. Briggs and Pamela J. Briggs; and
4. Deed dated April 2, 1985, recorded in Book 1538, Page 163 from the herein Grantors to John M. Patten.

ALSO EXCEPTING, and not hereby conveying, the parcel of land described as conveyed in the deed of even date (to be recorded herewith at the said Registry of Deeds) from the herein Grantors to Stephen James Fellis."

SECOND: Bounded and described in deed from Stephen R. Salsbury to Douglas A. Gott, dated April 29, 1994 and recorded with Hancock County Registry of Deeds in Book 2255, Page 24 as follows:

"A certain lot or parcel of land situated southerly of the Mill Road, so-called, located in the Town of Lamoine, County of Hancock, State of Maine, bounded and described as follows, to wit:

All that portion of the premises not previously conveyed in deed from the Estate of Isaac Gilpatrick to E. W. Bragdon dated March 10, 1842 and recorded at Book 72, Page 169 in the Hancock County, Maine, Registry of Deeds consisting of sixteen and six tenths (16.6) acres, more or less, and is further described as follows, to wit:

Bounded on the North and East by land of Douglas A. Gott; West by land of Douglas A. Gott and Reginald L. McDevitt et al; and South by land of the Town of Lamoine, Naomi Alexander, Zulma Madrell and Doug Gott & Sons, Inc.

The above described lot is the southerly portion of Lot 16 as shown on the Town of Lamoine Assessors Map 4."

Reference is made to Disclaimer of Sylvia H. Gott dated July 26, 2012, filed with the Hancock County Probate Court, Docket No. 2011-333.

Together with all rights, easements, privileges and appurtenances belonging to the granted estate.

WITNESS my hand and seal in my aforesaid capacity this 23rd day of October, 2012.

Sylvia H. Gott
Sylvia H. Gott, Personal Representative
Estate of Douglas A. Gott

STATE OF MAINE
HANCOCK, SS.

October 23, 2012

Personally appeared the above named Sylvia H. Gott and acknowledged the foregoing instrument to be her free act and deed in her capacity as Personal Representative of the Estate of Douglas A. Gott, before me,

Sylvia L. Joy
Notary Public/Attorney at Law

SYLVIA L. JOY
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES 4-20-2013

SEAL

(4) #2 IN

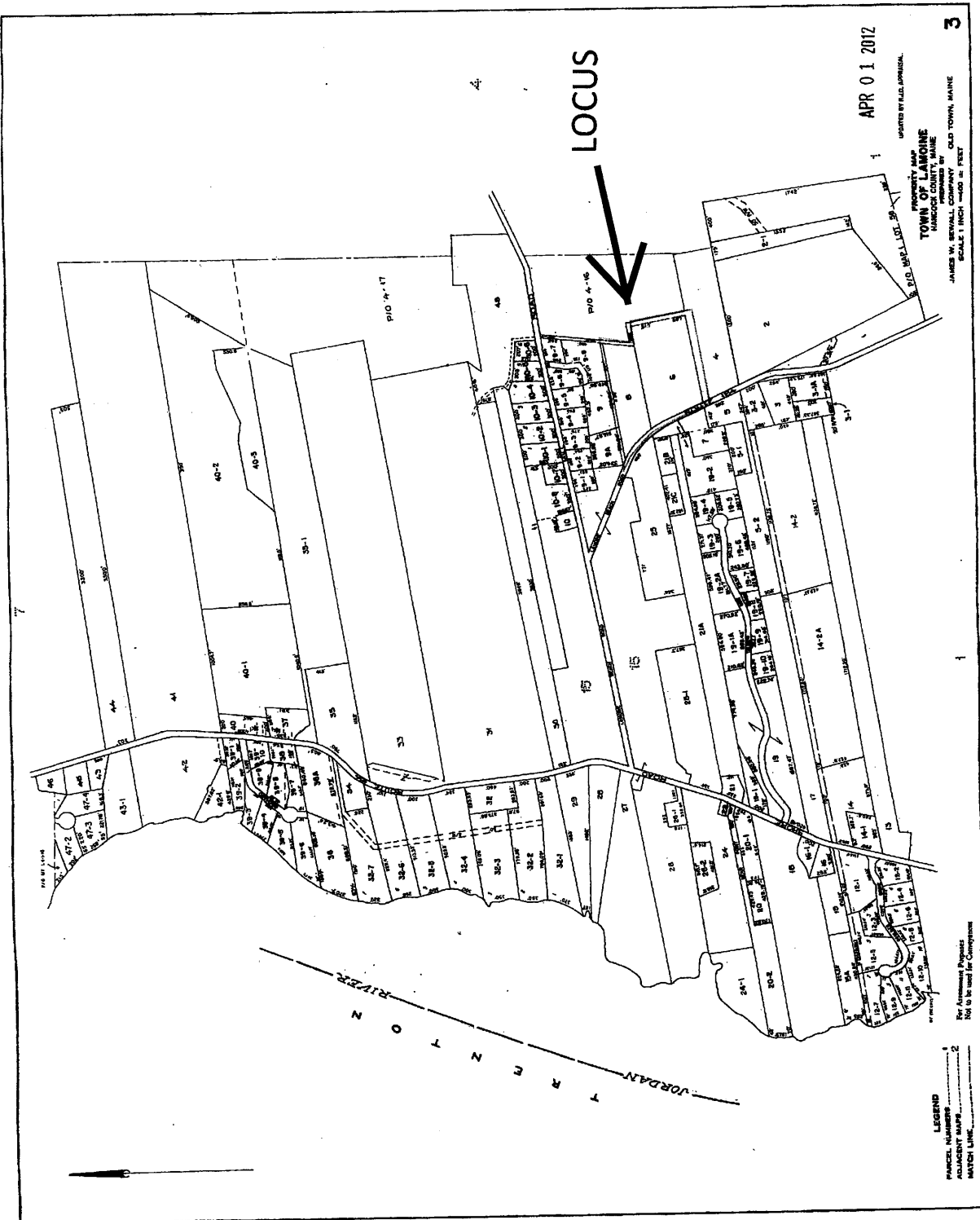
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February 14 2014
Page 22.04

Abutters – B&H Pit – Map 3 Lot 8

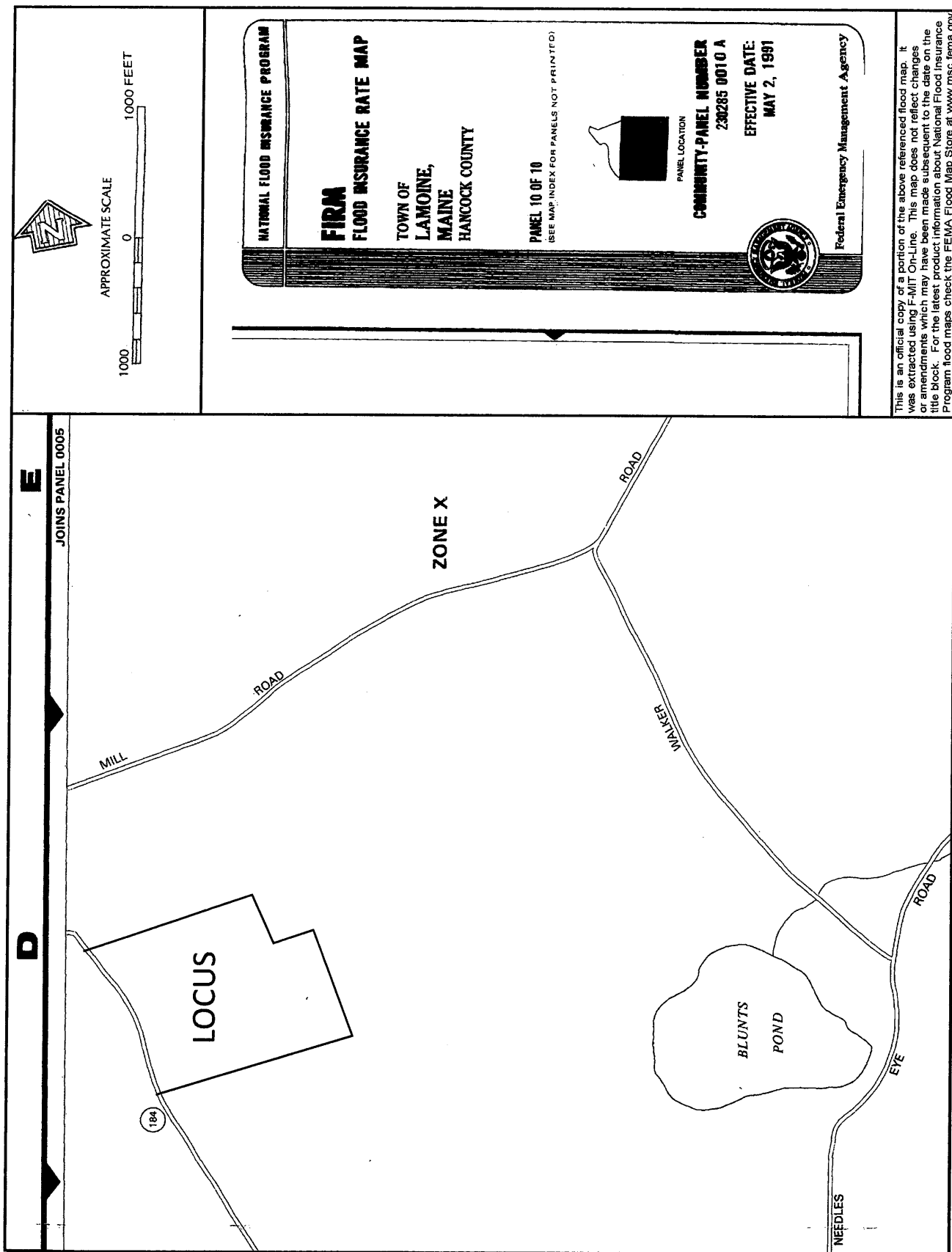
Map/Lot	Owner	Address
Map 3 Lot 4	PCJ LLC	136 Surry Road, Ellsworth, ME 04605
Map 3 Lot 9	Timothy H. Gott	P.O. Box 747, Southwest Harbor, ME 04679
Map 3 Lot 9-1	Charles Cobb Joan Cobb	31 Mill Road, Lamoine, ME 04605
Map 3 Lot 9-2	Robert Latchaw Terry Latchaw	41 Mill Road, Lamoine, ME 04605
Map 3 Lot 9-3	Alice Upton	49 Mill Road, Lamoine, ME 04605
Map 3 Lot 9-4	James Willis Jr. Tracy Willis	57 Mill Road, Lamoine, ME 04605
Map 3 Lot 9-5	Andrea Smith	65 Mill Road, Lamoine, ME 04605
Map 3 Lot 9-6	David Byers Shannon Byers	71 Mill Road Lane, Lamoine, ME 04605
Map 3 Lot 9-7	Richard Sprague Valerie Sprague	83 Mill Road Lane, Lamoine, ME 04605
Map 3 Lot 9-8	Michael Damon	79 Mill Road, Lamoine, ME 04605
Map 3 Lot 9-A	James Moore Tammie Moore	9 Memory Lane, Lamoine, ME 04605
Map 3 Lot 4-1	Marion McDevitt	1187 Shore Road, Lamoine, ME 04605
Map 4 Lot 16	Timothy H. Gott Tom Gott Peter Gott	110 Bass Harbor Road, Southwest Harbor, ME 04679
Map 3 Lot 5	Dean Murphy Kimberly Murphy	61 Tinker Way, Ellsworth, ME 04605
Map 3 Lot 5-1	Allen Steinfeld Katherine Steinfeld	2640 Sierra DR NE, Albuquerque, NM 87110
Map 3 Lot 3-2	Randy Walls Stephanie Eversole	768 Eagle Lake Road, Bar Harbor, ME 04609
Map 3 Lot 6	Timothy H. Gott Tom Gott Peter Gott	110 Bass Harbor Road, Southwest Harbor, ME 04679
Map 3 Lot 7	Thomas McIntire	153 Lamoine Beach Road, Lamoine, ME 04605
Map 3 Lot 8	Doug Gott & Sons, Inc.	110 Bass Harbor Road, Southwest Harbor, ME 04679
Map 3 Lot 19-2	Bernadette Dempsey	145 Patten Pond Road, Surry, ME 04684
Map 3 Lot 21-A	Charles Swanberg Deborah Swanberg	1046 Shore Road, Lamoine, ME 04605
Map 3 Lot 21B	Cheryl Curtis	5 Tall Pine Drive, Lamoine, ME 04605
Map 3 Lot 21C	Peter Swanberg Jane Swanberg	23 Tall Pine Drive, Lamoine, ME 04605
Map 3 Lot 25	David Miller Melanie Miller	121 Lamoine Beach Road, Lamoine, ME 04605
Map 15 Lot 21	Russell Spofford Joyce Spofford	27 Mill Road, Lamoine, ME 04605
Map 15 Lot 22	Harold Boynton Sr. Nancy Boynton	P.O. Box 441, Ellsworth, ME 04605
Map 15 Lot 22-1	Lori Boynton	114 Lamoine Beach Road, Lamoine, ME 04605
Map 15 Lot 24-3	Heirs of Earl James Jr. Gordena James	97 Lamoine Beach Road, Lamoine, ME 04605
Map 15 Lot 24-4	John White	103 Lamoine Beach Road, Lamoine, ME 04605
Map 15 Lot 24-5	Sylvia West	10 Hurds Drive, Morrill, ME 04952



APR 01 2012

PROPERTY MAP
TOWN OF LAMONE
MAINE
JAMES W. SEWELL COMPANY
SCALE 1 INCH = 400 FEET

LEGEND
PARCEL NUMBERS
ADJACENT MAPS
MATCH LINE



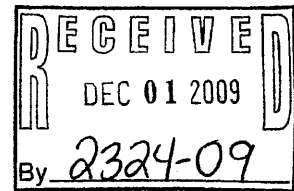


LAND SURVEYORS

P.O. Box 652 • 130 Oak Street, Suite 1
Ellsworth, Maine 04605

Richard C. Salsbury, P.L.S.
Stephen R. Salsbury, P.L.S.
Raymond S. Silsby, P.L.S.

E-mail: surveyor@herricksalsbury.com



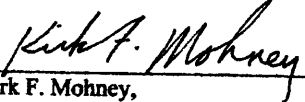
Tel.: 207-667-7370

Fax: 207-667-7384

November 30, 2009

Maine Historic Preservation Commission
Attn: Earle Shuttleworth
65 State House Station
Augusta, ME 04333

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.


Kirk F. Mohnhey,
Deputy State Historic Preservation Officer
Maine Historic Preservation Commission

12/16/09
Date

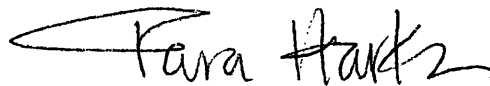
Dear Mr. Shuttleworth:

We are doing some work on a parcel of land in Lamoine, located on the easterly side of the Lamoine Beach Road, approximately 1,500 feet south of the intersection of the Lamoine Beach Road and the Mill Road. Enclosed please find a location map.

We are writing to inquire as to whether there are any historic landmarks/features in the area that we should be aware of?

Thank you for your time.

Sincerely,



Tara Hartson



STATE OF MAINE
DEPARTMENT OF CONSERVATION
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

JOHN ELIAS BALDACCI
GOVERNOR

PATRICK K. MCGOWAN
COMMISSIONER

December 15, 2009

Tara Hartson
Herrick & Salsbury
PO Box 652
Ellsworth, Maine 04605

Re: Rare and exemplary botanical features in proximity to Lamoine Beach Road project site, Lamoine Maine.

Dear Ms. Hartson:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request of November 30, 2009 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in the Town of Lamoine, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

Letter to Tara Hartson
Comments RE: Lamoine Beach Road project site, Lamoine Maine.
December 15, 2009
Page 2 of 2

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$75.00 for our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,



Sarah Demers
Environmental Review Coordinator
Maine Natural Areas Program
207-287-8670

sarah.demers@maine.gov

Enclosures

Rare and Exemplary Botanical Features in the Project Vicinity

12/15/2009

Documented within a Four-Mile Radius of the Proposed Development, Lamoine, Maine.

<u>Scientific Name</u>	<u>Common Name</u>	<u>Last Seen</u>	<u>Global Rarity Rank</u>	<u>State Rarity Rank</u>	<u>State Protection Status</u>	<u>Habitat Description</u>
<i>Suaeda calceoliformis</i>	American Sea-blite	1998-09-29	G5	S2	T	Rocky or gravelly saltmarshes and sea-strands.
Black spruce woodland						
Black Spruce Woodland		1999-09-22	G4?	S3		Open canopy woodland on bare rock, very thin soil over rock, or excessively drained gravelly deposits. Cool and moist microclimates. Moisture may accumulate in
Raised level bog ecosystem						
Raised Level Bog Ecosystem		1999-09-02	GNR	S4		Raised (but not concentrically patterned) peatlands in basins with mostly closed drainage. Sphagnum dominates the ground surface and is the main peat constituent.
Brackish tidal marsh						
Brackish Tidal Marsh		1999-09-23	GNR	S3		Intertidal reaches in coastal impoundments, or between saltmarshes and freshwater marshes in larger tidal rivers. The downstream limit of this community is usually
Brackish tidal marsh						
Brackish Tidal Marsh		2004-12-10	GNR	S3		Intertidal reaches in coastal impoundments, or between saltmarshes and freshwater marshes in larger tidal rivers. The downstream limit of this community is usually
<i>Oryzopsis canadensis</i>						
Canada Mountain-ricegrass		1897-07-14	G5	S2	SC	Dry, sandy, rocky woods
<i>Carex adusta</i>						
Swarthy Sedge		1898-08-17	G5	S2	E	Dry, open places.

Rare and Exemplary Botanical Features in the Project Vicinity

12/15/2009

Documented within a Four-Mile Radius of the Proposed Development, Lamoine, Maine.

<u>Scientific Name</u>	<u>Common Name</u>	<u>Last Seen</u>	<u>Global Rarity Rank</u>	<u>State Rarity Rank</u>	<u>State Protection Status</u>	<u>Habitat Description</u>
Carex adusta	Swarthy Sedge	1891-06-24	G5	S2	E	Dry, open places.
Prenanthes nana	Dwarf Rattlesnake Root	1897-08-19	G5	S1	E	Rocky or mossy exposed places in alpine areas.
Sanguisorba canadensis	Canada Burnet	2007	G5	S1	T	Peaty or boggy soils.
Spruce - fir - northern hardwoods ecosystem	Spruce - Fir - Northern Hardwoods Ecosystem	1999	GNR	S4		Covers most of northern Maine. Coniferous-dominated and hardwood-dominated forests intergrade with one another, with conifers tending to be in the

Page 2

STATE RARITY RANKS

- S1** Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
- S2** Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- S3** Rare in Maine (20-100 occurrences).
- S4** Apparently secure in Maine.
- S5** Demonstrably secure in Maine.
- SU** Under consideration for assigning rarity status; more information needed on threats or distribution.
- S#?** Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: State Rarity Ranks are determined by the Maine Natural Areas Program.

GLOBAL RARITY RANKS

- G1** Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
- G2** Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
- G3** Globally rare (20-100 occurrences).
- G4** Apparently secure globally.
- G5** Demonstrably secure globally.
- GNR** Not yet ranked.

Note: Global Ranks are determined by NatureServe.

STATE LEGAL STATUS

- Note:** State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered** and **Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.
- E** **ENDANGERED**; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
- T** **THREATENED**; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

- SC** **SPECIAL CONCERN**; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
- PE** **Potentially Extirpated**; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

Visit our website for more information on rare, threatened, and endangered species!
<http://www.maine.gov/doc/nrimc/mnap>

ELEMENT OCCURRENCE RANKS - EO RANKS

Element Occurrence ranks are used to describe the quality of a rare plant population or natural community based on three factors:

- **Size:** Size of community or population relative to other known examples in Maine. Community or population's viability, capability to maintain itself.
- **Condition:** For communities, condition includes presence of representative species, maturity of species, and evidence of human-caused disturbance. For plants, factors include species vigor and evidence of human-caused disturbance.
- **Landscape context:** Land uses and/or condition of natural communities surrounding the observed area. Ability of the observed community or population to be protected from effects of adjacent land uses.

These three factors are combined into an overall ranking of the feature of **A, B, C, or D**, where **A** indicates an excellent example of the community or population and **D** indicates a poor example of the community or population. The Maine Natural Areas Program tracks all occurrences of rare (S1-S3) plants and natural communities as well as A and B ranked common (S4-S5) natural communities.

Note: Element Occurrence Ranks are determined by the Maine Natural Areas Program.

Visit our website for more information on rare, threatened, and endangered species!
<http://www.maine.gov/doc/nrimc/mnap>



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Maine Field Office – Ecological Services
17 Godfrey Drive, Suite #2
Orono, ME 04473
(207) 866-3344 Fax: (207) 866-3351



FWS/Region 5/ES/MEFO

December 22, 2009

Ms. Tara Hartson
Herrick & Salsbury, Inc.
P.O. Box 652
Ellsworth, ME 04605

Dear Ms. Hartson:

Thank you for your letter dated November 30, 2009 requesting information or recommendations from the U.S. Fish and Wildlife Service (Service). This letter provides the Service's response pursuant to Section 7 of the Endangered Species Act (ESA), as amended (16 U.S.C. 1531-1543), the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250), and the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667d).

Project Name/Location: Unspecified project - Lamoine, ME

Log Number: 53411-2010-SL-0049

Federally Listed Species

This project occurs within the range of the Gulf of Maine Distinct Population Segment (GOM DPS) of Atlantic salmon (*Salmo salar*) in Maine, a federally-endangered species under the joint jurisdiction of the Service and the National Marine Fisheries Service (NMFS) (74 FR 29344; June 19, 2009). The Atlantic salmon GOM DPS encompasses all naturally spawned and conservation hatchery populations of anadromous Atlantic salmon whose freshwater range occurs in the watersheds from the Androscoggin River northward along the Maine coast to the Dennys River and wherever these fish occur in the estuarine and marine environment. Also included in the GOM DPS are all associated conservation hatchery populations used to supplement these natural populations; currently, such conservation hatchery populations are maintained at Green Lake National Fish Hatchery and Craig Brook National Fish Hatchery. Excluded are landlocked salmon (also *Salmo salar*) and those salmon raised in commercial hatcheries for aquaculture.



The proposed project site, however, is within a HUC-10 watershed (Lamoine Coastal) that has **not** been designated as critical habitat for Atlantic salmon by NMFS (74 FR 29300; June 19, 2009). Atlantic salmon are not known to currently occur in streams within this watershed, so we would not expect salmon at or near the proposed project site. The Services, however, do not have information about the potential occurrence of Atlantic salmon in coastal waters adjacent to Lamoine.

Please note that under Section 7 of the ESA, it is the federal action agency's responsibility to determine if a project may affect a federally listed species. For example, if a project needs a federal permit from the Corps of Engineers, that permitting action may provide a "nexus" for Section 7 consultation under the ESA¹. If the federal action agency determines that a project would have "no effect" on a listed species or critical habitat, they do not need to seek the concurrence of the Service and there is no need for Section 7 consultation. If the federal agency determines that a project "may affect" a listed species or its critical habitat, then consultation pursuant to Section 7 of the ESA should be initiated. If a project does not have a discretionary federal action associated with it, there is no need to make a determination of effect to listed species (e.g., a "no effect" determination). For Atlantic salmon and its critical habitat, NMFS and the Service share consultation responsibilities under Section 7 of the ESA, with the Service generally handling projects in the freshwater component of the salmon's habitat and NMFS handling projects in the marine and estuarine environment (generally below the head of tide).

Based on the information currently available to us, no other federally-listed species under the jurisdiction of the Service are known to occur in the project area.

Other Protected Species

Bald eagles (*Haliaeetus leucocephalus*) could occur in the project area. The nearest known bald eagle nest is about 1.3 miles to the west of the project site, on the Jordan River. The bald eagle was removed from the federal threatened list on August 9, 2007 and is now protected from take under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. "Take" means to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb. The term "disturb" under the Bald and Golden Eagle Protection Act was recently defined within a final rule published in the Federal Register on June 5, 2007 (72 Fed. Reg. 31332). "Disturb" means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle; 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior; or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

Further information on bald eagle delisting and their protection can be found at <http://www.fws.gov/migratorybirds/baldeagle.htm>.

¹ Section 7 consultation, however, is only necessary when a federal agency takes a *discretionary* action (e.g., an agency has a choice of whether or not to fund a particular project).

Please consult with our new national bald eagle guidelines, which can found at <http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

These Guidelines are voluntary and were prepared to help landowners, land managers and others meet the intent of the Eagle Act and avoid disturbing bald eagles. If you believe this project will result in taking or disturbing bald or golden eagles, please contact our office for further guidance. We encourage early and frequent consultations to avoid take of eagles.

We have not reviewed this project for state-threatened and endangered wildlife, wildlife species of special concern, and significant wildlife habitats protected under the Maine Natural Resources Protection Act. We recommend that you contact the Maine Department of Inland Fisheries and Wildlife:

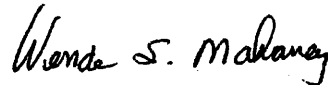
Steve Timpano
Maine Department of Inland Fisheries and Wildlife
284 State St.
State House Station 41
Augusta, ME 04333-0041
Phone: 207 287-5258

We also recommend that you contact the Maine Natural Areas Program for additional information on state-threatened and endangered plant species, plant species of special concern, and rare natural communities:

Lisa St. Hilaire
Maine Natural Areas Program
Department of Conservation
93 State House Station
Augusta, ME 04333
Phone: 207 287-8046

If you have any questions about this project, please contact Wende Mahaney at (207) 866-3344, Ext. 118.

Sincerely,

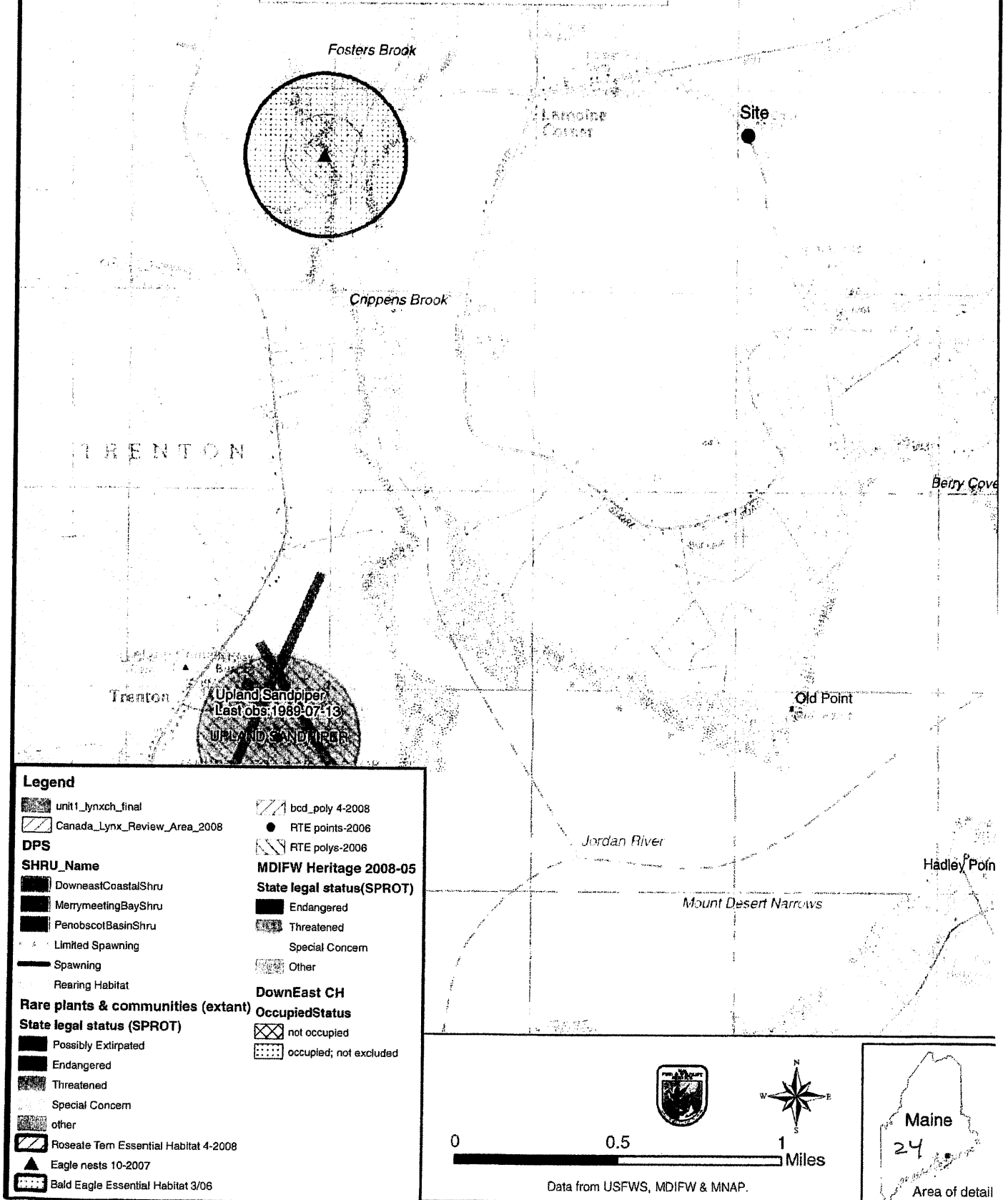


Lori H. Nordstrom
Field Supervisor

acting for

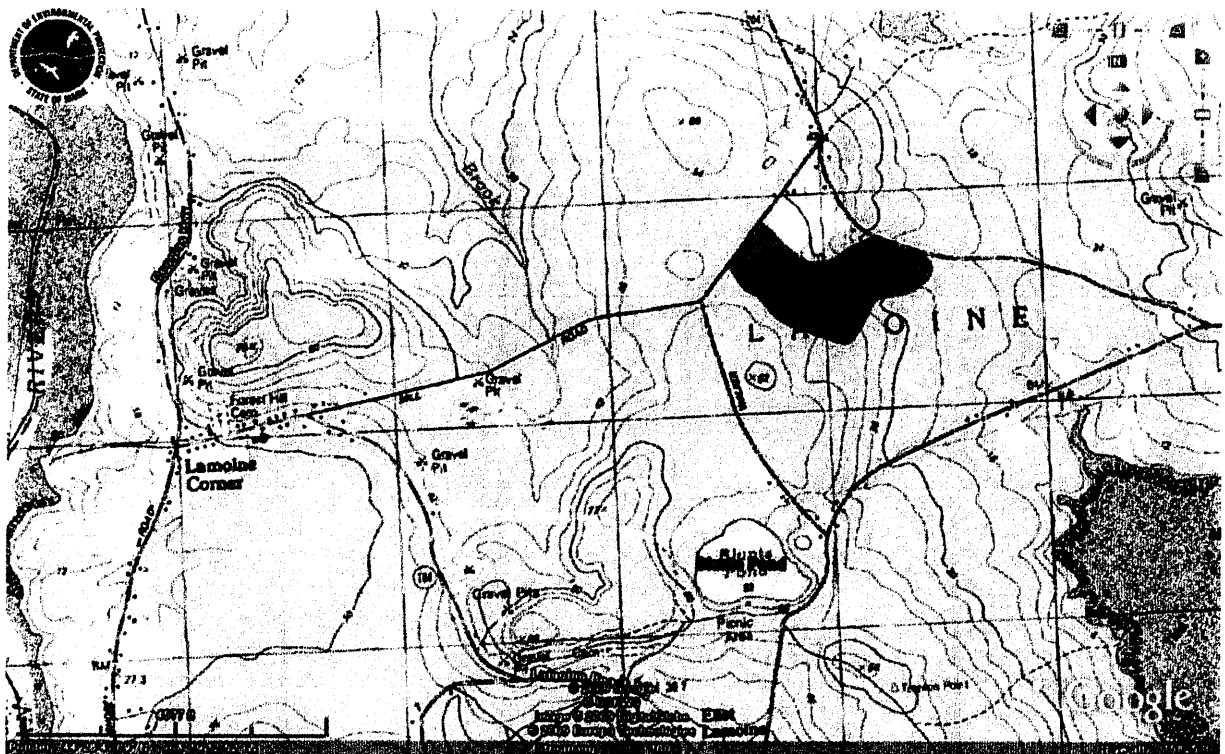
Enclosure

Surveying Work, Lamoine



DEER WINTERING AREAS

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

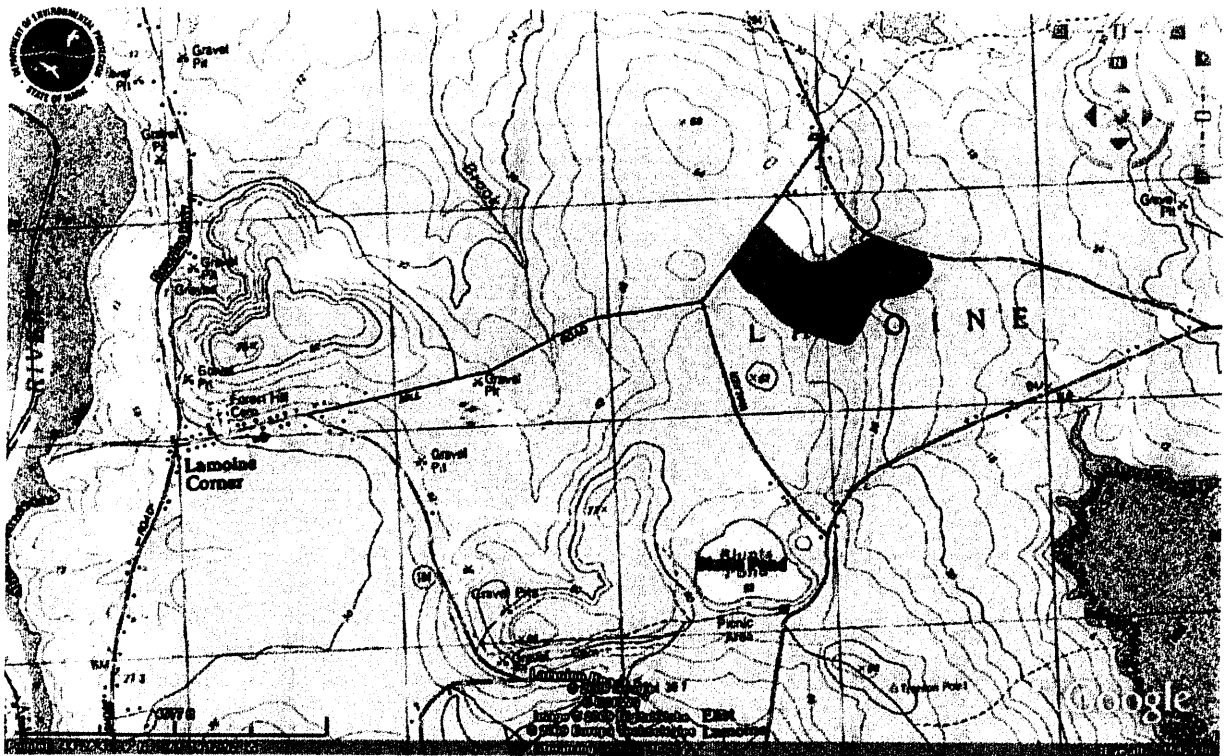


LEGEND:

 Deer Wintering Areas

DEER WINTERING AREAS

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

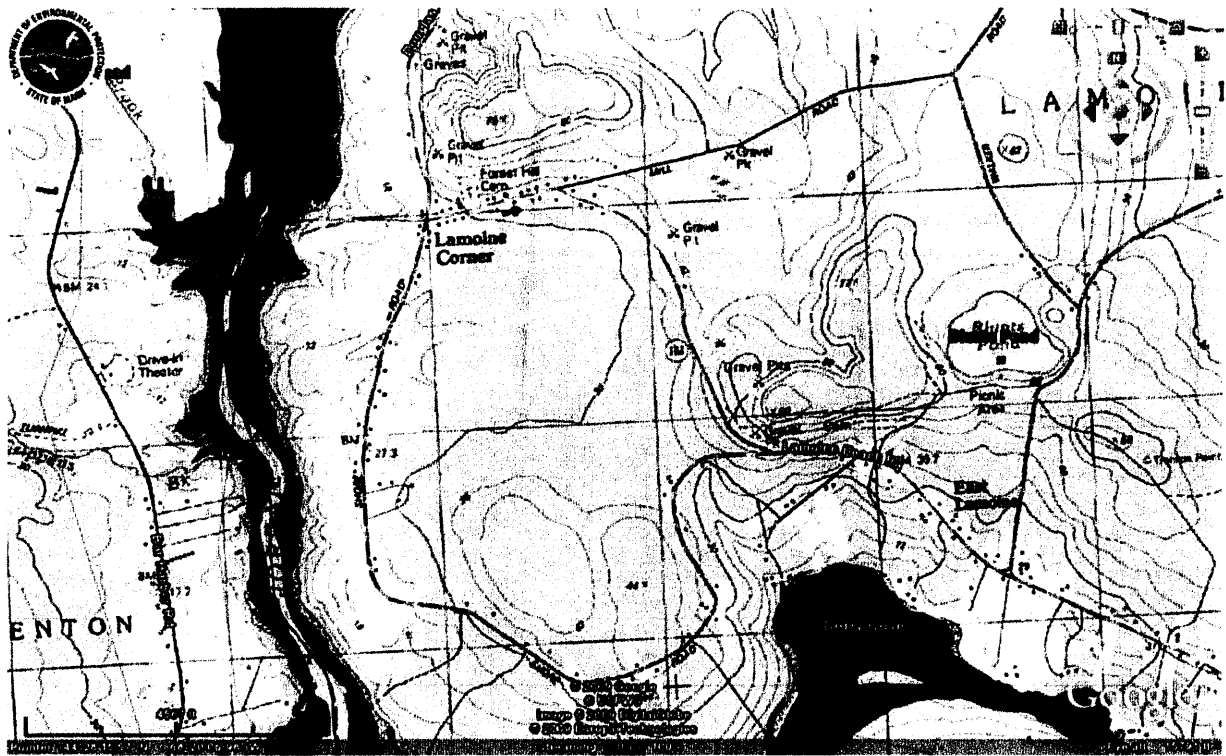


LEGEND:

 Deer Wintering Areas

WATERFOWL HABITAT

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION



LEGEND:



Inland Wading Waterfowl Habitat Data

Inland waterfowl and wading bird habitats include 250 feet of upland nesting habitat with no buffer.



Inland Wading Waterfowl Habitat Data



Tidal Wading Waterfowl Habitat Data

Tidal waterfowl and wading bird habitats include no buffer, though a permit is required for activities within 75 feet of any coastal wetland



Tidal Wading Waterfowl Habitat Data



Shorebird Feeding Habitat Data

Shorebird habitats are shown as defined by P.L. 2007 Chapter 290, effective June 14, 2007



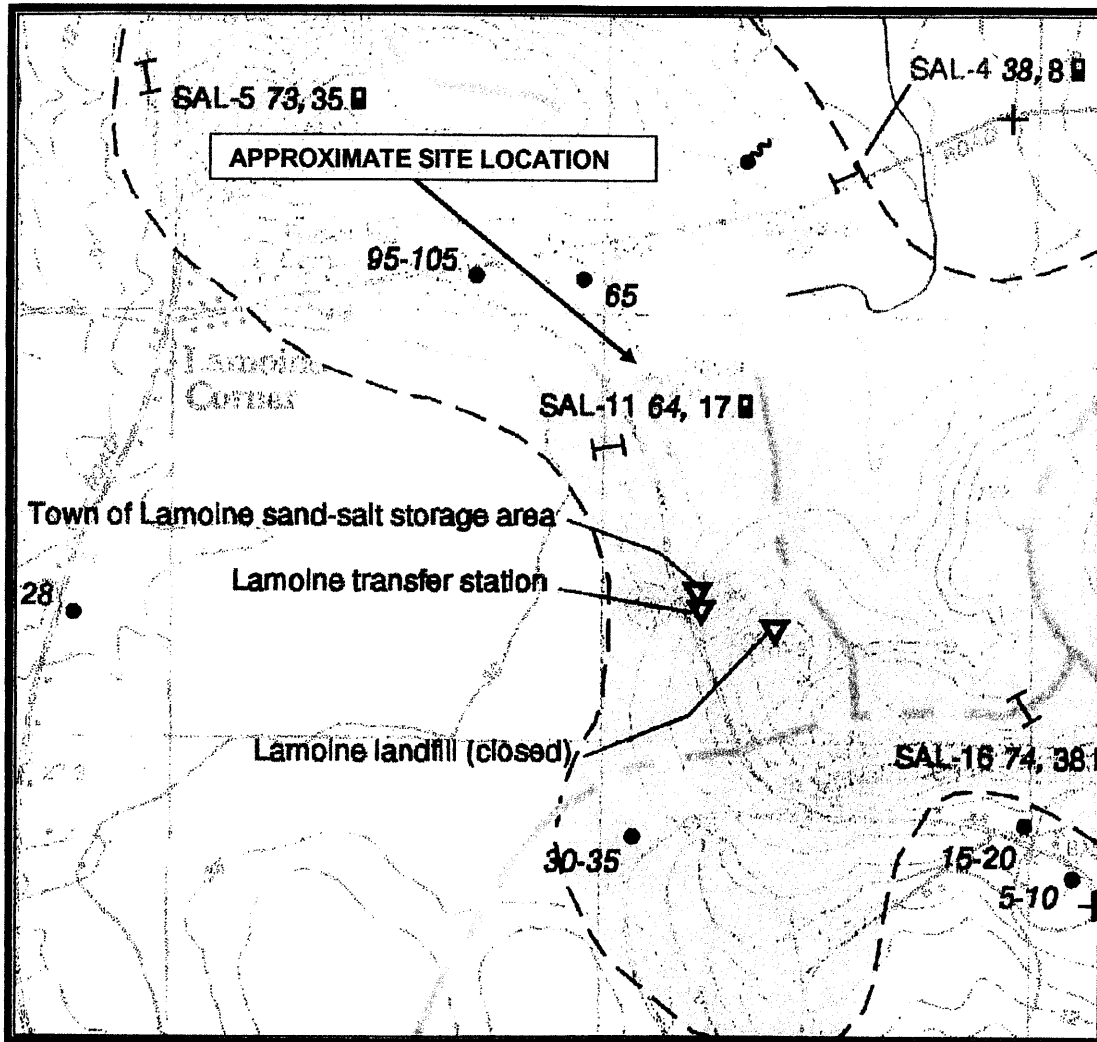
Shorebird Feeding Area Habitat Data



Shorebird Roosting Habitat Data

Shorebird habitats are shown as defined by P.L. 2007 Chapter 290, effective June 14, 2007

SIGNIFICANT SAND AND GRAVEL AQUIFERS MAP

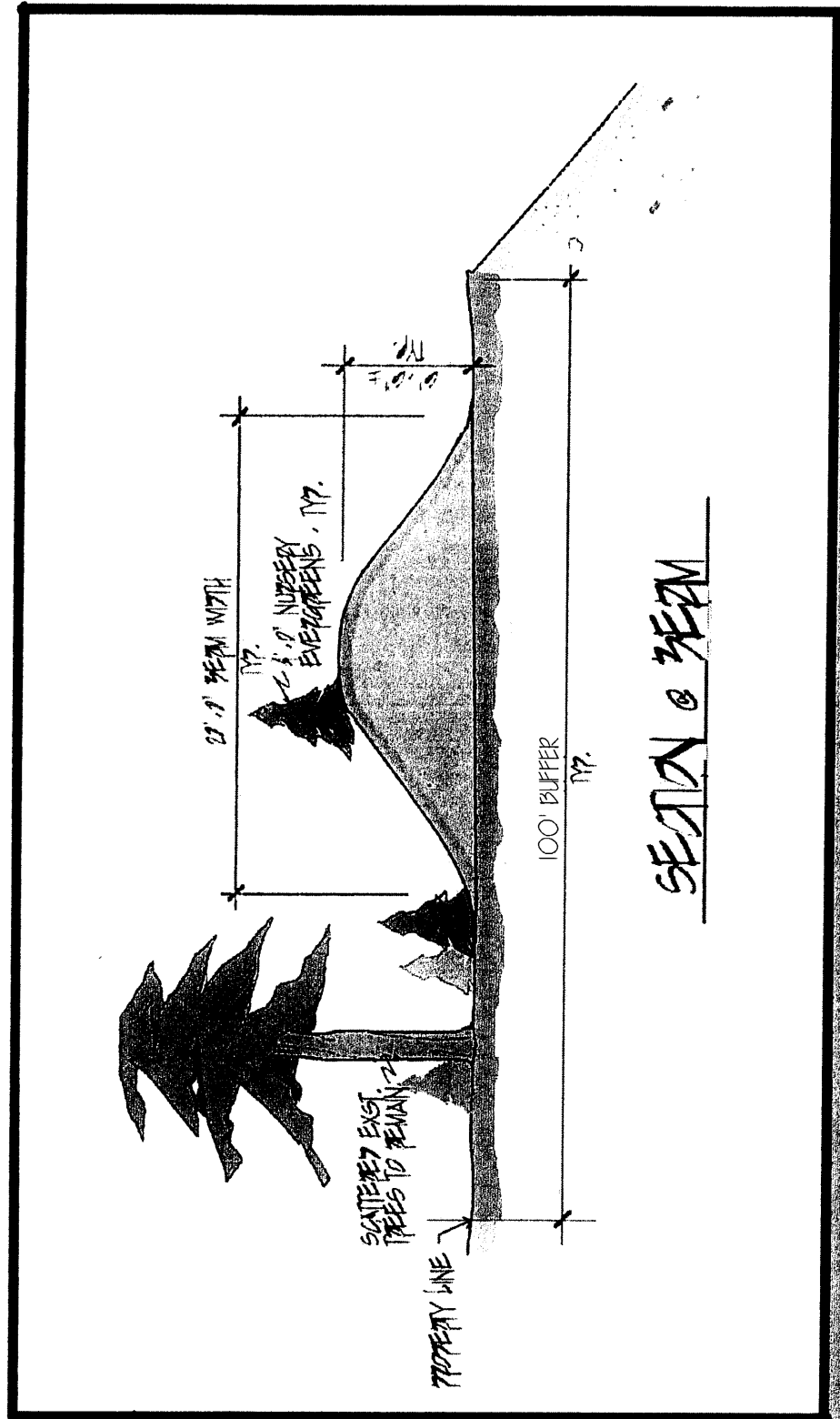


Note: Base map from Locke & Neil, 2007.
Map not to scale

LEGEND:

- = Surface water drainage boundary
- = Spring with general direction of flow
- = Potential source of groundwater contamination
- = Surficial deposit with yields generally greater than 10 gallons per minute.
- = Drilled Bedrock Well with 4 feet to bedrock
- = Depth to Water Level
- = Twelve channel seismic line, with depth to bedrock and depth to water shown at the midpoint of the line in feet below land surface.

DOUG GOTT & SONS, INC.
LAMOINE BEACH ROAD. LAMOINE, MAINE



Ground Water Protection

The proposed development consists of a 3,200 square feet commercial building to be used as a maintenance facility for heavy equipment. An on-site potable water source (water well) is not planned for the facility and a portable toilet will be used in lieu of a subsurface wastewater disposal system (septic system). As a result, potential for ground water impacts resulting from ground water extraction (quantity) or contaminant sources (quality) is largely mitigated by the design of the proposed facility.

As noted in the stormwater management section, stormwater will be retained on-site. Therefore, no significant change in ground water recharge is anticipated on site. Similarly, impacts to ground water or surface water at abutting properties is not expected to be a concern.

Maintenance activities in some cases will include the changing of fluids in equipment (e.g, oils, antifreeze, hydraulic fluids, grease, diesel fuel gasoline, etc.). However, these activities will occur within the proposed building and as a result, have minimal potential for impacting ground water quality. The facility will maintain spill kits on site to address spills or leaks.

Equipment parked at the Site awaiting maintenance will be inspected to verify that leakage is not occurring. Should incidental leakage be observed, spill containment pans or containers shall be used to prevent fluids from being discharged directly to the ground. Based on data from an on-site monitoring well, depth to ground water is expected to be at least 10 feet below the proposed Site grade. This separation from ground water provides a buffer to retard migration of an unexpected spill to ground water and allows response actions (if needed) to occur without directly encountering or managing shallow ground water.

Although not anticipated, if combined storage (drums, tanks, containers) of petroleum products within the building exceeds 1,320 gallons (amount designated by EPA), a Spill Prevention, Control and Countermeasures (SPCC) Plan will be prepared for the facility to document procedures for addressing potential spills of petroleum at the Site.

STORMWATER MANAGEMENT PLAN

Maintenance building

INTRODUCTION

Doug Gott & Sons, Inc. is proposing a small commercial development on property located in Lamoine, Maine (the Site) and identified by the town of Lamoine as Lot 8 on Tax Map 3. The Site is located to the east of Lamoine Beach Road (US Highway 184) and is currently undeveloped.

The proposed stormwater management system for the Site has been developed to control stormwater runoff quantities in order to maintain pre-development peak flow and provide for onsite management of stormwater runoff. The stormwater management system has been conservatively designed to control and treat the proposed development area. In general, stormwater runoff will be directed to a gravel drainage basin located on the eastern portion of the proposed development via overland flow, where the runoff will be allowed to infiltrate surficial soils at the Site and attenuate to groundwater.

DATA COLLECTION, METHODOLOGY, AND ASSUMPTIONS

Site data was gathered from field observations and a plan entitled "Site plan of Stephens Lot" dated December 12, 2013, prepared by Herrick and Salsbury, Inc. Land Surveyors of Ellsworth, Maine.

Calculations were performed utilizing HydroCAD stormwater modeling software, which is based on the United States Department of Agriculture's (USDA) Technical Release 20 (TR-20) and Technical Release 55 (TR-55) hydraulic programs. Curve numbers (CN's) assigned to differing land cover and soil types were taken from tables within the HydroCAD software, which are from the SCS TR-55 manual, revised 1986. Infiltration data was based on the most restrictive soil types known to be present in the area obtained from USDA maps of the area. 24-hour rainfall depths based on a 25 year storm event were taken from the 'Stormwater Management for Maine: Volume III BMP's Technical Design Manual, January 2006'.

Time of concentrations were calculated with the HydroCAD software using the TR-55 methodologies including sheet flow, shallow concentrated flow, and channel flow.

Modeling assumptions are summarized in the attached HydroCAD output.

EXISTING SITE CONDITIONS

Refer to the existing conditions plan for Site features and topography. Generally, the easterly side of the Site slopes towards the east and the westerly side of the Site slopes to the west. Slopes are generally moderate ranging from approximately 4% to 20%. According to the USDA Natural Resources Conservation Service Web Soil Survey, soils at the Site consist primarily of the Colton Series [hydrologic soil group (HSG) A].

PROPOSED SITE CONDITIONS

Proposed work includes excavation to a level and lower grade in the vicinity of the proposed development. The soil will be removed from the Site and/or regraded to drain towards the proposed stormwater detention basin via overland flow.

Design calculations include the presence of a building and gravel parking area and for the purpose of this study were assumed to be impervious.

STORMWATER QUALITY

The construction of the drainage basin is designed to retain stormwater from a 25 year storm event on site for subsequent infiltration to groundwater.

Construction will be performed in accordance with the most current Maine Erosion and Sedimentation Control Best Management Practices (BMPs) and in accordance with the sedimentation and erosion control plan prepared for this project. These measures include temporary and permanent seeding, temporary sediment barriers, erosion control mesh, and drainage swales in potential high volume stormwater conveyance areas.

CONCLUSIONS

The proposed stormwater management system will incorporate new Site grading, new drainage basins, and new stormwater conveyance swales, as well as long-term and short-term erosion control measures to manage and treat stormwater runoff as required by the Town of Lamoine Ordinance. Provided the project is constructed as detailed in this study, it is our opinion that the post development calculated peak flow rates will be reduced below pre-development levels.

Respectfully submitted,

Brett Deyling, E.I.
Engineer

EROSION AND SEDIMENTATION CONTROL PLAN MAINTENANCE BUILDING – GOTT PROPERTY

INTRODUCTION

This Erosion and Sediment Control Plan (Plan) is being completed in support of a Site Plan Application required by the Town of Lamoine Site Plan Review process to permit the construction of a 3,200 square foot(SF) maintenance building and associated construction equipment parking area. The following plan for controlling sedimentation and erosion during construction activities and operation is based on conservation practices found in the Maine Erosion & Sediment Control BMP Manual, Maine Department of Environmental Protection (MEDEP), March 2003, or latest edition. The contractor who implements this Plan shall be familiar with this publication and adhere to it and the practices presented herein.

This Plan also includes measures to control dust and visual emissions at the Site.

Doug Gott & Sons, Inc. (Gott) proposes a commercial development on a parcel of land identified by the town of Lamoine as Lot 8 on Tax Map 3, located on the eastern side of Lamoine Beach Road (US Route 184). The site is currently undeveloped forested land. Proposed development activities include excavation and grading of the Site to an elevation that accommodates the proposed building and associated activities (i.e., parking area, equipment drop-off and storage, construction of an access road, construction of a 3,200 SF construction equipment maintenance building and final grading of the site to provide a parking, storage and turning area for heavy equipment and oversize transport vehicles. This Plan was prepared in support of the proposed development. Existing conditions and proposed site activities are depicted on Drawings 1 and 2.

Typical operations at the proposed facility are expected to include maintenance and repair of heavy equipment. The proposed development will be staffed on an as-needed basis during normal business hours.

EROSION AND SEDIMENTATION CONTROL PRACTICES

General erosion control practices to mitigate erosion and sedimentation during construction and operation include:

- 1) Limiting unnecessary disturbance and, hence, erosion,
- 2) Correcting observed erosion problems immediately,
- 3) Regularly monitoring the implemented practices, especially after significant rainfall events, and
- 4) Maintenance of undisturbed and vegetated buffers.

Specific erosion and sediment control measures incorporated into the Plan include the following:

Swales (Vegetated Drainageway)

Typically, in areas with high discharge or sediment load potential, rip-rap lining will be used in lieu of vegetation. Riprap plunge pools will be constructed at the base (toe) of vertical swales (letdowns).

Silt Fence and/or Erosion Control Mix Sediment Barriers

Due to the Site being internally drained, there are no specific areas delineated for silt fencing, erosion control mix sediment barriers and/or haybales prior to construction, with the exception of the construction entrance detail. However, surface conditions must be evaluated during construction for erosion. If construction related erosion is observed sediment barriers are to be installed.

Construction Entrance

A crushed stone construction entrance shall be installed where the construction equipment will be exiting the limit of the property during construction activities. Construction traffic will be directed over construction entrances prior to entering public roads. Areas subject to rutting will be stabilized immediately. The crushed stone construction entrance shall be maintained by the addition of more crushed stone as needed as the voids become filled.

Slope Protection

Grading will be held to a maximum 2.5:1 slope. Slopes will be stabilized with permanent seeding immediately (i.e., within five (5) days) after final grading is complete.

REVEGETATION

Once final grading of an area is complete, loaming, seeding and mulching shall occur within 15 days of completing construction in the area.

Topsoil will be stockpiled when necessary in areas which have minimum potential for erosion and will be kept as far as possible from existing drainage areas. All stockpiles expected to remain longer than 15 days shall be :

- A. Treated with anchored mulch (within 5 days of the last deposit of stockpiled soil).
- B. Seeded with conservation mix and mulched immediately.

The following general practices will be implemented to prevent erosion as soon as an area is ready to undergo final grading:

1. A minimum 4 inches of loam will be spread over areas that will be revegetated and graded to a uniform depth and natural appearance.

2. If final grading is accomplished during the normal growing season (4/15 to 10/1), permanent seeding will be done as specified below. Seed mix designation taken from MEDEP BMP based on known surficial soil conditions present at the Site. Prior to seeding, limestone shall be applied at a rate of 100 lbs/1000 sq. ft. and 10:20:20 fertilizer at a rate of 18.4 lbs/1000 sq. ft. will be applied. Broadcast seeding at the following rates:

SPECIES	VARIETY (select one)	Lb Per Acre
Switchgrass	Blackwell, Shelter, Cave-in-Rock	4.0
Big Bluestem	Niagara, Kaw	4.0
Little Bluestem	Camper, Aldous, Blaze	2.0
Sand Lovegrass	NE-27, Bend	1.5
Coastal Panicgrass	Atlantic	2.0

Note: Mix presented above assumes underlying soils with 0 to 15 percent by weight passing the No. 200 sieve. If observed underlying soil conditions do not meet this assumption, refer to MEDEP BMP I-1 for additional seed mix guidance.

If permanent seeding areas have received winter mulching, the top two inches of winter mulching should be removed.

3. An area shall be mulched immediately after it has been seeded. Mulching shall consist of hydro-mulch with tackifier or suitable substitute.
- A. Hydro-mulch shall consist of a mixture of wood fibre or paper fibre and water, which is sprayed over a seeded area. Hydro-mulch shall not be used between 10/1 and 4/15.
4. Restoration work should be planned to eliminate the need for seeding between October 1st and April 15th. Should seeding be necessary between these dates, the following procedure shall be followed:
- A. Only unfrozen loam shall be used.
- B. Loaming, seeding and mulching will not be done over snow or ice cover. If snow exists, it must be removed prior to placement of seed.
- C. Where permanent seeding is necessary, Annual Winter Rye (1.2 lbs/1000 s.f.) shall be sown instead of the previously noted seeding rate.
- D. Where temporary seeding is required, Annual Winter Rye (2.5 lbs/1000 s.f.) shall be sown instead of the previously noted seeding rate.
- E. Fertilizing, seeding and mulching shall be done on loam the day the loam is spread.

MONITORING SCHEDULE

Gott shall be responsible for installing, monitoring, maintaining, repairing, replacing and removing erosion and sedimentation controls or appointing a qualified subcontractor to do so.

Maintenance measures will be applied as needed during the operational life of the facility. Immediately following significant rainfall, and at least once a week, a visual inspection will be made of all erosion and sedimentation controls using the attached inspection form.

Following final seeding, the site will be inspected every 30 days until 85 percent cover has been established. Any areas that do not achieve the required vegetative growth requirement will be re-seeded.

WINTER STABILIZATION

The following standards and methodologies shall be used for stabilizing soil (non-gravel or rock) areas of the site during the winter, if required.

- A. Stabilize the soil with temporary vegetation and erosion control mats – By October 1st the contractor will seed the disturbed slope with winter rye at a rate of 3 pounds per 1000 square feet and then install erosion control mats or anchored hay mulch over the seeding. The contractor will monitor growth of the rye over the next 30 days.
- B. Stabilize the slope with wood-waste compost – The contractor will place a six-inch layer of wood-waste compost on the slope by November 15th. The contractor will not use wood-waste compost to stabilize slopes having grades greater than 50 percent (2H:1V) or having groundwater seeps on the slope face.

Stabilize the slope with stone riprap – The contractor will place a layer of stone riprap on the slope by November 15th.

REMOVAL OF EROSION CONTROLS

An area is considered stable if it is paved, gravel covered parking or if 85% growth of planted seeds is established. Once an area is considered stable, the erosion control measures can be removed.

Any trapped sediments at temporary sedimentation control devices shall be regraded in an aesthetic manner to conform to the surrounding topography or removed. Once graded, these disturbed areas must be loamed (if necessary), fertilized, seeded and mulched in accordance with the rates previously stated.

Erosion controls must be removed within 30 days of final stabilization of the site.

DUST CONTROL

Dust control methods will be employed on Site to prevent movement of dust from exposed soil surfaces that could potentially migrate from the site and create hazards. Dust generated by activities at the Site, including dust associated with traffic to and from the Site, will be controlled by sweeping, watering or other best management practices for control of fugitive emissions.

Preventive measures will include the following, as needed:

- Traffic will be restricted to predetermined routes.
- All vehicular traffic will abide by the posted speed limit to reduce fugitive dust.
- Natural vegetation will be maintained to the extent practical.
- Dust control methods for onsite access roads and work areas will include placement of gravel or the application of water.

Additional information on dust control is included in Section B-5 of the Maine Erosion & Sediment Control BMP Manual.

Prepared By:

Brett Deyling, E.I.
Engineer

Attachment A
INSPECTION FORM

Sample Inspection Report:

**DOUG GOTT & SONS, INC.
STORMWATER FACILITIES INSPECTION REPORT**

NAME: _____ SIGNATURE: _____

TITLE: _____ COMPANY: _____

DATE: _____

OBSERVATIONS:

<u>BMP</u>	<u>Defects</u>	<u>Location(s)</u>	<u>Repair/Action Needed</u>	<u>Date/Action taken</u>
Riprap Aprons	Yes/no			
Riprap Swales	Yes/no			
Plunge Pools	Yes/no			
Infiltration Basin	Yes/no			



LAND SURVEYORS

P.O. Box 652 • 130 Oak Street, Suite 1
Ellsworth, Maine 04605

Tara A. Hartson, P.L.S.
Richard C. Salsbury, P.L.S.
Stephen R. Salsbury, P.L.S.

Tel.: 207-667-7370
Fax: 207-667-7384
E-mail: surveyor@herrickandsalsbury.com

January 20, 2014

Town of Lamoine
Att : George Smith, Fire Chief
606 Douglas Highway
Lamoine, ME 04605

Re : Gott property

Dear Chief Smith,

I am representing Doug Gott & Sons, Inc. who own property on Route 184 just south of Memory Lane. Gott plans on building a 40' by 80' steel building for a maintenance garage on their property, which needs to be reviewed by the planning board. As part of the review, the planning board asks for your comments.

The garage will be accessed by a gravel road off from Route 184. There will be an area in the front of the garage 100' by 150' for maneuvering and parking. That should be ample room for fire trucks to access the site. There will be heating equipment in the garage, most likely an LP gas heater, with an LP tank somewhere near the rear of the building. No sprinkler system is proposed for the garage.

Enclosed is a copy of the site plan for your review. If you have any concerns, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Salsbury', is written over a horizontal line.

Stephen R. Salsbury

/s
Enc.

Ground Water Protection

The proposed development consists of a 3,200 square feet commercial building to be used as a maintenance facility for heavy equipment. An on-site potable water source (water well) is not planned for the facility and a portable toilet will be used in lieu of a subsurface wastewater disposal system (septic system). As a result, potential for ground water impacts resulting from ground water extraction (quantity) or contaminant sources (quality) is largely mitigated by the design of the proposed facility.

Groundwater monitoring well BHW-1 is located approximately 300 feet west of the proposed building location. A water table elevation of approximately 109 feet NGVD29 is reported at BHW-1. On February 13, 2014, three test pits were excavated at the Site to further assess groundwater table elevations. Test pits were designated TP-1-2014, TP-2-2014 and TP-3-2014. A monitoring well was installed in TP-3 and is designated BH-3-2014. The locations are shown on the Site Plan and test pit logs are attached.

Test pit TP-2-2014 was excavated at the location of the proposed building. The test was excavated to a depth of 20 feet below ground surface. The ground surface elevation as surveyed by Herrick and Salisbury is approximately 137 feet. The bottom of the test pit is at elevation 117 feet or approximately 5 feet below the proposed building floor elevation of 122 feet. As noted on the test pit log, material was classified as Sand and Gravel and ground water was not encountered in the test pit.

Test pit TP-1-2014 was excavated east of TP-2 near the location of the proposed stormwater detention area. The test pit was excavated to a depth of 21 feet below ground surface. The ground surface elevation at TP-1 is approximately 150 feet. The bottom of the test pit is at elevation 129 feet. As noted on the test pit log, material was classified as Sand and Gravel and ground water was not encountered in the test pit.

Test pit TP-3-2014 was excavated east of the area of proposed disturbance near the eastern property boundary. The test pit was excavated to a depth of 21 feet below ground surface. The ground surface elevation at TP-3 is approximately 145 feet. The bottom of the test pit is at elevation 126 feet. As noted on the test pit log, material was classified as Sand and ground water was not encountered in the test pit. Monitoring well BH-3-2014 was installed with a bottom elevation of 126 feet. Ground water was not present in the well.

Data indicate that the ground water table is well below the proposed finished grade elevation of the building. Given the granular nature of material encountered, water table gradients would be expected to slope gently. Low permeability clay that might

allow a perched water table to develop was not encountered in test pits. As a result, the proposed grades of the development will remain above the ground water table.

As noted in the stormwater management section, stormwater will be retained on-site. Therefore, no significant change in ground water recharge is anticipated on site. Similarly, impacts to ground water or surface water at abutting properties is not expected to be a concern.

Maintenance activities in some cases will include the changing of fluids in equipment (e.g, oils, antifreeze, hydraulic fluids, grease, diesel fuel gasoline, etc.). However, these activities will occur within the proposed building and as a result, have minimal potential for impacting ground water quality. The facility will maintain spill kits on site to address spills or leaks.

Equipment parked at the Site awaiting maintenance will be inspected to verify that leakage is not occurring. Should incidental leakage be observed, spill containment pans or containers shall be used to prevent fluids from being discharged directly to the ground. Based on data from an on-site monitoring well, depth to ground water is expected to be at least 10 feet below the proposed Site grade. This separation from ground water provides a buffer to retard migration of an unexpected spill to ground water and allows response actions (if needed) to occur without directly encountering or managing shallow ground water.

Although not anticipated, if combined storage (drums, tanks, containers) of petroleum products within the building exceeds 1,320 gallons (amount designated by EPA), a Spill Prevention, Control and Countermeasures (SPCC) Plan will be prepared for the facility to document procedures for addressing potential spills of petroleum at the Site.

DETAILED DESCRIPTION OF SUBSURFACE CONDITIONS AT PROJECT SITES

Project Location (municipality):
Lamoine

Exploration Symbol: <u>TP-1-2014</u> × Test Pit					
<u>3"</u> Organic horizon thickness		Ground surface elev. _____			
	Texture	Consistency	Color	Mottling	
0	Gravelly Coarse sand	loose	brown		
3					
6					
9					
12	Gravelly Coarse sand	loose	orange		
15	sand 0% cobble	loose	Light brown		
18					
21					
24	21' bottom of pit	No water observed			
	Slope Percent		Limiting Factor 21' Depth	<input type="checkbox"/> Groundwater <input type="checkbox"/> Restrictive Layer <input type="checkbox"/> Bedrock	
soil data by B.S. ▶▶	<input type="checkbox"/> Hydric <input checked="" type="checkbox"/> Non-hydric			Hydrologic Soil Group	

Exploration Symbol: <input type="checkbox"/> Test Pit <input type="checkbox"/> Boring						
_____ Organic horizon thickness Ground surface elev. _____						
Depth below mineral soil surface (inches)	0	Texture	Consistency	Color	Mottling	
	3					
	6					
	9					
	12					
	15					
	18					
	21					
	24					
	soil data by S.E. ▶▶	Soil	Classification	Slope	Limiting Factor	<input type="checkbox"/> Groundwater
		Profile	Condition	Percent	Depth	<input type="checkbox"/> Restrictive Layer
	soil data by ▶▶	Soil series/phase name:				<input type="checkbox"/> Bedrock
					<input type="checkbox"/> Hydroic	
					<input type="checkbox"/> February 14, 2014	
					Hydrologic Soil Group	

Lamoine Planning Board – Site Plan Review Criteria Record of Findings

Applicant	Doug Gott & Sons
Map & Lot	Map 3 Lots 6&8
Date Reviewed	March 4, 2014
Fee Paid	\$250 (costs still due \$162.64)

Review Standard	Votes Yes	Votes No	Reasons/Comments
1. Preserve and Enhance the Landscape	0 1	5 4	* changed vote on motion of suggestion of negative
2. Relation of Proposed Buildings to Environment	3 2	2	* 1 abstain (Bannan) negative
3. Vehicular Access	5	0	condition: an easement be obtained over lot 6.
4. Parking Design Requirements	5	0	
5. Off-Street Parking Requirements	5	0	
6. Buffering and Screening	5	0	
7. Exterior Lighting	5	0	
8. Municipal Services	5	0	
9. Surface Water	5	0	
10. Groundwater Protection	5	0	
11. Air Pollution	5	0	
12. Odor	5	0	
13. Noise	5	0	
14. Sewage Disposal			NA
15. Utilities/Waste Disposal/Water Supply	5	0	
16. Comprehensive Plan	5	0	
17. Stormwater Drainage	5	0	
18. Conservation, Erosion and Sediment Control	5	0	
19. Advertising Features			NA
20. Financial and Technical Capacity	5	0	

* see minutes describing the changes to these votes

Application is

- ☐ Approved
☐ Approved with Conditions (list on back)
☒ Denied (State Reasons for denial below)

Signed,

The application does not preserve and enhance the landscape by minimizing the removal of soil and vegetation. (See minutes of meeting for additional detail.)

Stephen J. Olden
Secretary

Chair, Lamoine Planning Board

(Planning Board to fill out one copy of this form and submit it as part of the official file of the above referenced project) – (If approved or approved with conditions, the signed copy of this form shall serve as the official permit)

Voting: Holt, Bannan, Gallagher,
Tadema-Wislandt and Donaldson

Town of Lamaine – Planning Board Review Criteria – Commercial Building Permit

Name	Doug Gott & Sons	Date	March 4, 2014
Map & Lot	Map 3 Lots 6&8	Project	Commercial Garage
Fee Paid	None yet	802,640	

Criterion	Yes	No	Comment
will meet all lot size, density, and open space requirements	5	0	
will meet all setback, side and rear yard width, and buffer requirements	5	0	
will provide easements, road access, and utility installation as prescribed in this and other Town ordinances	5	0	No details on easements or utility for the road access
will not result in undue water, soil, or air pollution. In making this determination the Board shall at least consider: The elevation of land above sea level and its relation to the floodplains; the nature of soils and subsoils and their ability to adequately support waste water disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of adverse effluents; the applicable state and local health and water resources regulations; and the applicant's submission of required assessments by certified professionals	5	0	
whenever situated in whole or in part within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water or the uses to which it is customarily put			NA
will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater or cause an unreasonable burden on any existing water supply	5	0	
will have sufficient water available for the reasonably foreseeable needs of the subdivision			NA

will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water or support vegetation so that a dangerous or unhealthy condition may result	5	0	
will meet street design standards as specified in Town ordinances			NA
will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed	5	0	
will provide for adequate sewage, solid waste, and waste water disposal in a manner which does not cause an unreasonable burden on municipal services			NA
will not have an unduly adverse effect on the scenic or natural beauty of the area, geographic or historic sites, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline	3	2	
will not significantly alter the demand for any municipal service or facility without providing a means acceptable to the Board for supporting the Town's ability to provide the service or facility	5	0	
will provide for an adequate supply of water for fire protection as specified herein			NA
will not violate the Town's Floodplain Management or Shorelands Ordinances			NA
will be in conformance with this ordinance and the Town's Comprehensive Plan	5	0	

Based on the above criteria review, the Lamoine Planning Board hereby:

☒ Approves ^{with one condition} Denies the permit for the above applicant.

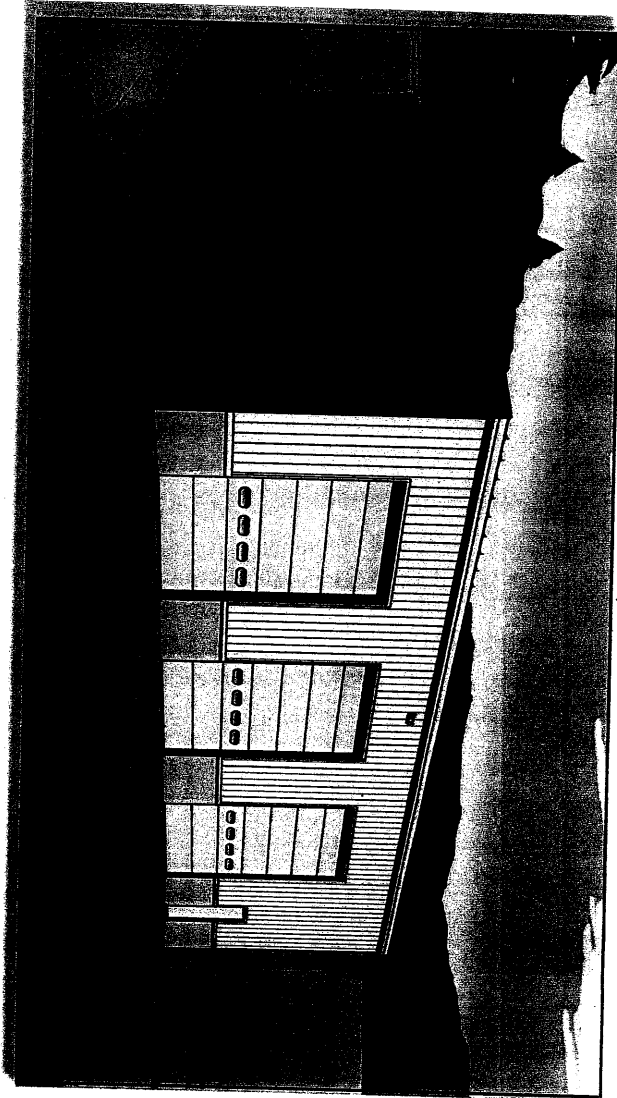
Conditions: That an easement for the access road across lot 6 be obtained prior to issuance of the permit.

Signature, Title Secretary

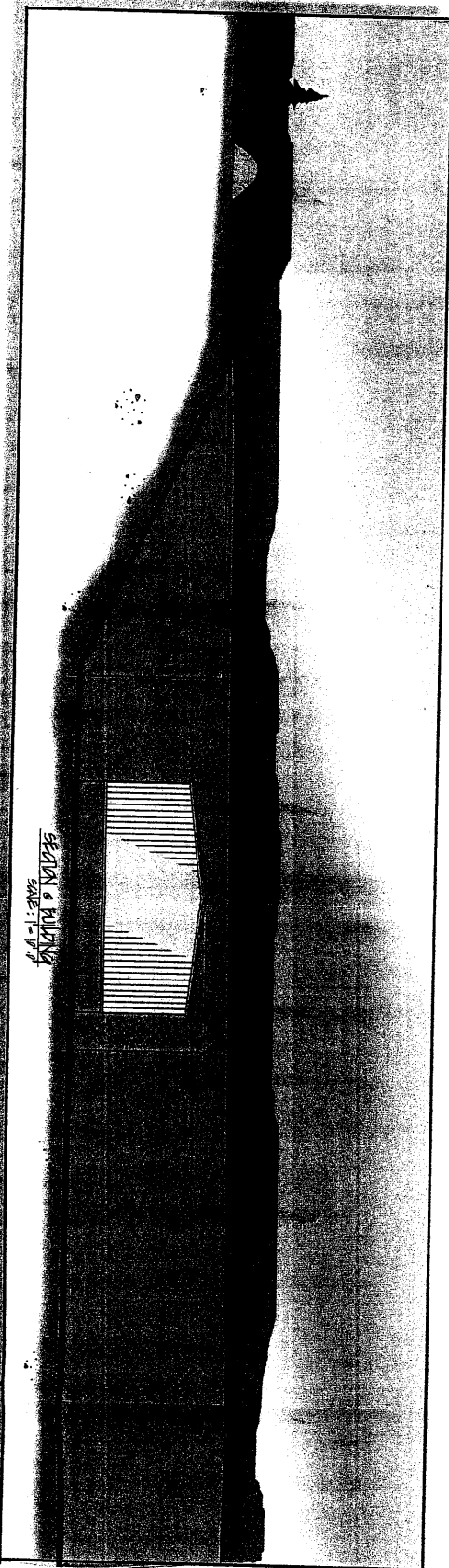
→ ALSO Review Criteria for Industrial Uses (Section 15F)

- | | | | | | |
|--------------------|-----|---------------------------|-----|--------------|-----|
| 1. Traffic | 5-0 | 8. Silt/sediment/Sewering | 5-0 | 15. Land Use | 5-0 |
| 2. Noise | 5-0 | 9. Explosive materials | NA | 16. Signs | NA |
| 3. Dust etc. | 5-0 | 10. Ground water | 5-0 | | |
| 4. Odor | 5-0 | 11. Flood Protection | NA | | |
| 5. Gravel | 5-0 | 12. Soil Stability | 5-0 | | |
| 6. Storm Water | 5-0 | 13. Waste Water | NA | | |
| 7. Erosion Control | 5-0 | 14. Other Waste Water | NA | | |

Voting: Holt, Baumann, Gallagher, Telea-Wildson all Dissension



PROPOSED GARAGE



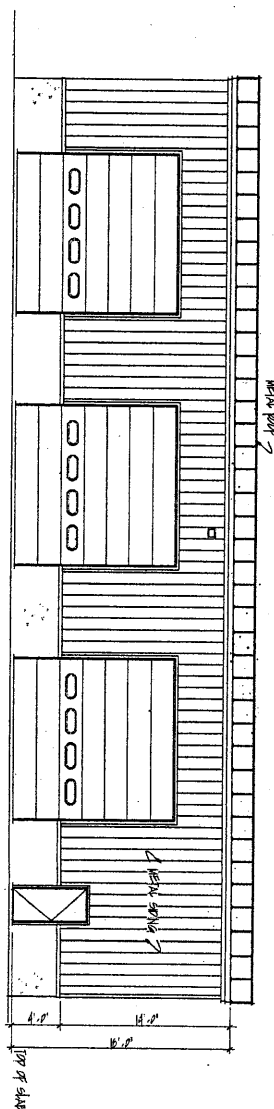
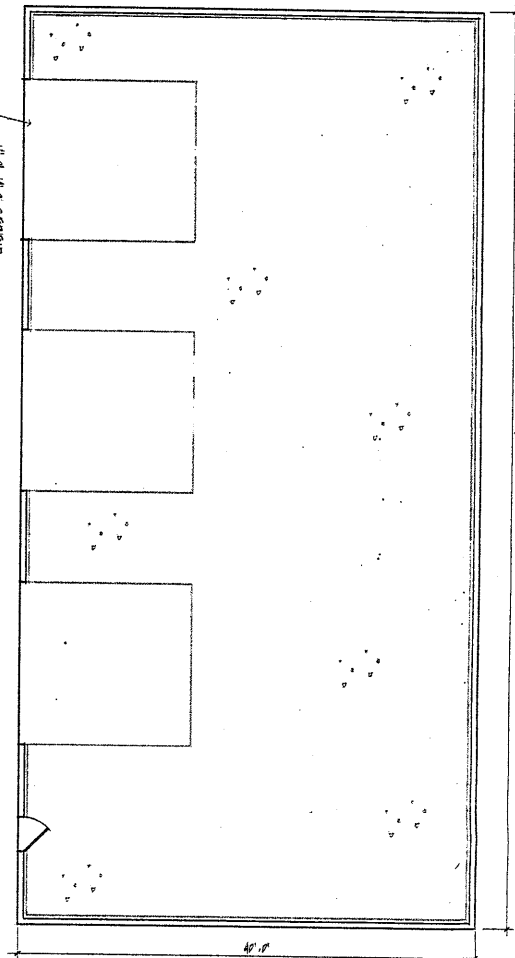
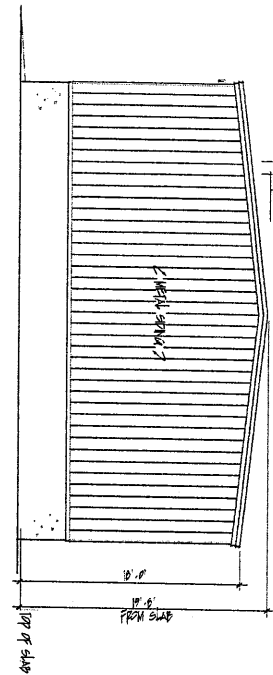
SECTION @ BUILDING
SCALE: 1" = 10' 0"

SITE SECTION @ PROPOSED GARAGE

PROPOSED GARAGE FOR :

DOUG GOTT & SONS, INC.

ROUTE 184, LAMOINE, MAINE



PROPOSED GARAGE FOR :

DOUG GOTT & SONS, INC.
ROUTE 184, LAMOINE, MAINE